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New England's Struggles for Religious Liberty

"But my soul, wherewith I am to worship God, that belongeth to another King, whose kingdom is not of this world, whose people must come willingly, whose weapons are not carnal but spiritual." —*Thomas Helwys, founder of the First General Baptist Church in England, 1611.*

"So is it the duty of the civil magistrate to suppress all violence to the bodies and goods of men for their soul's belief, and to provide that not one person in the land be restrained from, or constrained to, any worship, ministry, or maintenance, but peaceably maintained in his soul as well as corporal freedom." —*Roger Williams' "Hireling Ministry," London, 1652, p. 78.*

"Your petitioners have it much on their hearts if they may be permitted to hold forth a lively experiment that a flourishing civil State may stand, yea, and best be maintained, and that among English spirits, with a FULL LIBERTY IN RELIGIOUS CONCERNMENTS. *"*—*Dr. John Clarke's Petition for Rhode Island Charter, 1662.*

NEW ENGLAND'S STRUGGLES

FOR

RELIGIOUS LIBERTY

BY

REV. DAVID B. FORD

AUTHOR OF

"Studies on Baptism, with Review of J. W. Dale," and joint author of a Commentary on the "Epistle to the Romans" in the American Commentary Series

"It is pleasant to remember that—where there is painstaking and an intention to tell the truth—an author's most lenient judges are the historical students, who know by experience how difficult it is to avoid errors."—Prof. George Park Fisher, in his Preface to his "History of the Christian Church"

PHILADELPHIA

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FOREWORD

No people in their beginnings have left richer or more abundant materials for veritable history than have the Pilgrim and Puritan fathers of New England. And it is a matter of rejoicing that a fresh popular interest in our Colonial times has been awakened in recent years. An indication of this interest is plainly seen in such writings as those of S. G. and S. A. Drake, of Charles F. and Brooks Adams, of Prof. John Fiske, of Alice Morse Earle, and of several other recent writers. The "Margaret Winthrop," by Mrs. Earle, especially, has much authentic and interesting historic material. The original and chief sources from which our work is drawn are, of course, given in the body of the text and need not be mentioned here. If allowed to particularize, however, I should say that perhaps, in a considerable part of my work, nothing has been more interestingly helpful to me than the treasures of the library of the "Backus Historical Society," in Newton Center, and of the Massachusetts Archives, in the State House in Boston.

My obligations also are specially due to our great libraries, to the Boston Public Library most of all, which has allowed me, though a country resident, to take out

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gratuitously many desired volumes; also to the Athenæum Library, the Congregational Library, the State Library, and the Library of the Massachusetts Historical Society. In all these libraries there are treasures relating to our theme, which are as yet by no means exhausted.

D. B. F.

HANOVER, MASS., 1896.

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NEW ENGLAND'S STRUGGLES FOR RELIGIOUS LIBERTY

PRELIMINARY REMARKS

The reign of violence is dead,
Or dying surely from the world;
While love triumphant reigns instead,
And in a brighter sky o'erhead
His blessed banners are unfurled.
And most of all, thank God for this:
The war and waste of clashing creeds
Now end in words and not in deeds,
And no one suffers loss or bleeds
For thoughts that men call heresies.

—"*The Theologian*," *in Longfellow's Tales of a Wayside Inn.*

In speaking of the sufferings endured in former times by the Baptists and Quakers of New England, and of the struggles whereby religious liberty was at length secured, our thoughts naturally recur to the somewhat similar sufferings of the Baptists and others in the South, and of the success of their efforts to secure religious freedom. As a rigid Puritanism was the "Great Iron Wheel" of a crushing oppression in the North, so was the Episcopal Establishment a like instrument of dire distress in the South. Persecution, indeed, did not begin so early in the South as in New England, since the early Southern Episcopalians were

lacking in that religious earnestness which characterized the Puritans.

The first penal laws of Virginia date back only so far as 1659, 1662, and the struggle for liberty there was brought to a close much earlier than in New England. The victory for religious freedom in Virginia, which Backus describes as "the greatest revolution about baptism and religious liberty that ever I heard of in any government upon earth," was secured in 1785, and the last relic of Church and State union disappeared in 1802. In Connecticut, however, this union in some form lasted till 1818, and in Massachusetts until 1833. But while persecution raged for a shorter period in the South, we judge it to have been fully as bitter as that endured in the North. Dr. F. L. Hawks, the Episcopalian historian, says that, "No dissenters in Virginia experienced for a time harsher treatment than did the Baptists. They were beaten and imprisoned; and cruelty taxed its ingenuity to devise new modes of punishment and annoyance."

But the Baptists of the South, in their struggles for religious liberty, had, we think, more outside help than had those of New England. They had, to begin with, the potent influence and aid of those whom we may denominate "the three mighties," Jefferson, Madison, and Henry.[1] I know not of a single statesman, and

[1] Under the head of "Equal Religious Liberty, stated and defended," in the March number of the "Massachusetts Baptist Missionary Magazine," 1811, may be found Madison's masterly "Memorial and Remonstrance against the General Assessment, presented to the General Assembly of Virginia," 1785, which, in the words of the editor, "has been pronounced by good judges to be the best defense of the rights of conscience now extant."

scarcely a prominent man, in the North who spoke a word for religious freedom. Especially encouraging, also, to the brethren of the "United Baptist Churches in Virginia," to whom "mobs, bonds, fines, and prisons" had been, under the royal government, their "frequent repast," were the words of Washington upon receiving from a Committee of the Baptist Churches an Address, signed "August 8, 1789. SAMUEL HARRIS, *Chairman*, REUBEN FORD, *Clerk*," but written, as we have seen it stated, by Elder John Leland, a stalwart champion of religious liberty both in the South and in the North.[1] The Southern Baptists were for a time also greatly aided by the Presbyterians and, to some extent, by the

[1] "In his later years Mr. Leland labored efficiently in Massachusetts in the cause of religious freedom, which he had done so much to secure in Virginia. A characteristic speech on this subject which he delivered to the legislature of Massachusetts, in 1811, may be found in 'Benedict's History,' Vol. II., pp. 482–486."—Prof. Weston's note to "Backus' History." For some account of his labors in the South, see Dr. Cathcart's "Baptist Encyclopædia," p. 1182, and Dr. Armitage's "History of the Baptists," pp. 787–811. In Vol. VI. of Sprague's "Annals of the American Pulpit," Dr. B. T. Welch relates the following anecdote of Elder Leland: An orthodox brother proposed to Mr. Leland that he should have the use of the Congregational meeting-house if he would preach extempore from a text that should be given him in the pulpit. To this he assented, and just as he rose to begin his sermon he opened the paper containing the text, and found these words: "And Balaam saddled his ass." Whereupon he said: "This brings to our view three things—a *prophet*, an *ass*, and a *saddle*. Balaam, the prophet who loved the wages of unrighteousness, and he well represents the class who oppress their fellow-men (otherwise the Congregationalists); the ass, a patient bearer of grievous burdens, represents those who are oppressed by them; and the saddle is the unrighteous exaction that is made of these downtrodden denominations." Of course these were sufficient heads for an ample and pungent sermon. It was Mr. Leland's wish that the following sentence should be inscribed on his gravestone: Here lies the body of John Leland, who laboured—to promote piety and vindicate the civil and religious rights of all men.

Quakers. In New England, the Quakers as a body put forth but few concerted, persistent legal efforts for the securing of liberty, and they aided this cause chiefly by their voluntary sufferings and by the giving up of their lives. The early Separatists sympathized, of course, with the cause of the Baptists, as also did the few Episcopalians of that time. In 1645 some isolated individuals, mainly persons, as we suppose, of Episcopal preferences, like William Vassal, of Scituate, in Plymouth Colony, sent in, as we shall see farther on, a petition to the Plymouth Court, urging a "full and free tolerance of religion to all men that would preserve the civil peace," etc., and "You would have admired," wrote Edward Winslow, "to have seen how sweet this carrion relished to most of the deputies." The next year a petition of the zealous Episcopalian, Samuel Maverick, of Noddle's Island (East Boston), and Dr. Robert Child, of Hingham, with five others, was presented to the Massachusetts legislature, wherein they state that "There are many thousands also in these plantations, free-born, quiet, and peaceable men, who are debarred from all civil employments; and members of the Church of England, with their posterity, are detained from the seals of the covenant of free grace."

Notwithstanding these few individual efforts, it must be said that in the great contest for liberty, the Baptists of New England stood alone. No other denomination or organized community, by systematic, persevering legal efforts sought to abolish the oppressive laws of the State and secure the inestimable boon of religious liberty for all. "You Baptists," said a distinguished

Congregational minister, Dr. Leonard Swain, of Providence, R. I., at the Centennial of the Warren Association, 1867, "You Baptists fought the battle of religious liberty and we all enjoy the fruits of the victory." We presume that the Baptists of the South also felt that they too were left in great part to fight their battles alone. Certainly, according to Dr. Hawk's concession, they were the principal agents in the securing of religious liberty. "The Establishment," he says, "was finally put down. The Baptists were the principal promoters of this work, and in truth aided more than any other denomination in its accomplishment." [1]

As we now proceed to consider the religious persecutions which took place in New England, in order the better to show the Puritan and Pilgrim character in its sterner aspects, as also the greatness of the struggle whereby religious liberty was at last achieved, we must speak somewhat at length of the relation which the Puritan and Pilgrim fathers sustained to the Anabaptists and Quakers. In answer to the question, What was the original and distinctive difference between the Puritans and the Pilgrims? it may be sufficient in a general way to say that the Puritans, while desirous of remaining in the Church of England, sought to *purify* and free the church from its "humane inventions," especially from its leanings toward papacy in the matter of vestments and other rites.[2] The peculiar Puritan

[1] For the story of the sufferings, struggles, and triumphs of the Southern Baptists we must refer our readers to the historical works of Semple and Howell, and to the lesser writings of Curry, Taylor, Bitting, Long, Johnson, Bailey (published by the American Baptist Publication Society), and Dabney (in Vol. XXIII. of the "Christian Review").

[2] Calvin in his letter to John Knox says: "In the liturgy of England I

feeling was voiced by Francis Higginson, first minister of Salem, in this wise:

> We will not say as the Separatists were wont to say at their leaving of England: Farewel Babylon! Farewel Rome! But we will say: Farewel Dear England! Farewel the church of God in England and all the Christian friends there! We do not go to New England as Separatists from the Church of England; though we cannot but separate from the corruptions in it; but we go to practise the positive part of church reformation, and propagate the Gospel in America.

Winthrop's company, who came over a little later, speak of themselves—

> As those who esteem it an honor to call the Church of England, from whence wee rise, our deare mother, and cannot part from our native countrie where she specially resideth, without much sadnes of heart and many tears in our eyes; ever acknowledging that such hope and part as we have obtained in the common salvation, wee have received in her bosome and suckt it from her breasts, etc.

Thus while they did not at first separate themselves from their "deare mother," the English Church, they felt it to be an impossibility for them wholly to conform to its ritual. What many of them suffered for their nonconformity may be inferred in part from the threat of King James I.: "I will make them conform or I will

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see that there were many tolerable foolish things; by these words I mean that there was not that *purity* which was to be desired. . . So it behooved the learned, grave, and godly ministers of Christ to enterprise farther, and to set forth something more filed from rust and *purer*. If godly religion had flourished till this day in England there ought to have been a thing better corrected, and many things clean taken away. I cannot tell what they mean which so greatly delight in the leavings of popish dregs."

harry them out of the land or else do worse." But neither Elizabeth, nor James, nor Charles I. and II., nor the Archbishops Parker, Whitgift, Bancroft, and Laud, could coax or force the Puritans to conform, and so hundreds and thousands of nonconforming Episcopal ministers were silenced, deprived of their benefices, fined, imprisoned, or exiled.

The Pilgrims, on the other hand, were not only nonconformists like the Puritans, but Separatists; that is, they had wholly seceded from the established church and thus incurred the special hostility of both Church and State. Consequently, though in spite of governmental opposition, they felt "constrained to leave their native soyle and countrie, their lands and livings, and all their freinds and famillier acquaintance" (Bradford). And so they sought refuge in Holland, "where was freedome of religion for all men," and where in the enjoyment of this religious liberty, and under the liberalizing teachings of John Robinson, they, while holding to the Calvinistic tenets of the Puritans, became far more tolerant in spirit and practice than they.[1]

In 1620 the Pilgrims emigrated to Plymouth, in New England, and in 1628–30 the Puritans settled in Salem and Boston. In a surprisingly short space of time, and largely, we think, through the influence of the Plymouth deacon and doctor, Samuel Fuller—who was "well

[1] However we may interpret John Robinson's famous utterance that "he was very confident the Lord had more truth and light to breake forth out of his holy word"—whether as referring to theology, or, as Dr. H. M. Dexter supposes, to church polity—it is certain that he, a high Calvinist and utterly opposed to Arminianism (which is perhaps fairly represented by our present diluted orthodoxy), would have looked with dread upon any *lowering down* of the "doctrines of grace."

versed in the way of church discipline which was practised by Mr. Robinson's church," and who was several times called to the Massachusetts colony to "let blood," by which occasions he was enabled also to "prescribe for spiritual ailments" or church needs—these Puritan emigrants became Independents or Congregationalists like the Pilgrims of Plymouth.

NOTE.—In 1629 the church at Salem chose Samuel Skelton for their pastor, and Francis Higginson for their teacher; and these were ordained or installed in the Congregational way, Gov. Bradford, of Plymouth, giving the hand of fellowship. Thereupon, the two brothers, John and Samuel Brown being Episcopalians, "accused the ministers as departing from the orders of the Church of England; that they were Separatists, and would be Anabaptists," etc. The brothers having set up a separate worship of their own, and being men of "high spirits, and their speeches and practices tending to mutiny and faction, the Governor [Endicott] told them that New England was no place for such as they, and therefore he sent them both back to England at the return of the ships [probably in the 'Lion's Whelp'] the same year" (Morton's "Memorial," p. 100). A minister, Mr. Ralph Smith, who came over at the same time with Mr. Higginson, being a Separatist, "was required to give under his hand that he would not exercise his ministry within the limits of the patent without the express leave of the Governor on the spot." He left Salem and became the first minister of the church at Plymouth. Mr. Higginson died at an early age the next year, and Mr. Skelton in August, 1634, which was nearly a year after the coming of Roger Williams from his two years, or more pastorate in Plymouth to become for a second time a preacher in Salem. Gov. Bradford would have retained him longer in Plymouth, but Elder Brewster advised his going, fearing "that he would run the same course of rigid separation and anabaptistry which Mr. John Smith, the Se-baptist at Amsterdam, had done." Immediately on Williams' first arrival in this country he was invited, in the temporary absence of

Mr. Wilson, to become teacher of the Boston church, which call he declined because they were "an unseparated people." At Salem, as we are told, "in one year's time he filled that place with principles of rigid separation, tending to anabaptistry." His separative principles finally became so rigid that he told his church "if they would not separate, not only from the churches of Old England but the churches of New England too, he would separate from them," which he accordingly did. In 1635 he was separated from Massachusetts. This voluntary withdrawing of himself from the churches in protest against their errors was in his view or to his hope "the breath of the Lord Jesus sounding forth in him (a poor despised ram's horn) the blast which in His own holy season should cast down the strength and confidence of all those inventions of men in the worshiping of the true and living God."

PART I

THE PURITANS

THEIR RELATION TO THE ANABAPTISTS AND QUAKERS

TOUCHING the superior powers of the earth, it is not unknown to all them that hath read and marked the Scripture that it appertaineth nothing unto their office to make any law to govern the conscience in religion. . . Christ alone is the governor of His church and the only lawgiver.—*John Hooper, the first Puritan nonconformist and martyr, 1555.*

Gospel constitutions, in the case of heresy or error, seem not to favor any course of violence, I mean, of civil penalties. Foretold it is that heresies must be; but this for the manifesting of those who are approved, not the destroying of those that are not. . . Perhaps those who call for the sword on earth are as unacquainted with their own spirits as those that called for fire from heaven.—*Dr. John Owen, 1616–1683.*

The reason (for the command, Deut. 13 : 10) is moral, that is, of universal and perpetual equity to put to death any apostate, seducing idolater, or heretic.—*John Cotton, "Reply to Roger Williams," 1647.*

I believe that antichrist hath not at this day a more probable way to advance his kingdom of darkness than by a toleration of all religions and persuasions.—*Dr. Increase Mather, 1677.*

It seems at first view somewhat remarkable that the Puritans of Massachusetts Bay gave their special attention to the "obstinate and turbulent Anabaptists" as early as 1644, some twelve years before they seriously noticed the "pernisouse Quakers," against whom sub-

sequently they showed a special malignancy. Of course a sufficient reason for the prior attention shown to the Baptists is found in the fact that they emigrated to this country earlier than the Quakers. Cotton Mather, grandson of the famed John Cotton (born 1663), while disliking Anabaptism, yet speaks of the early Anabaptists in wholly favorable terms, and in striking contrast with the above characterization. He says: "Infant baptism hath been scrupled by multitudes in our day who have been in other points most worthy Christians, and as holy, watchful, fruitful, and heavenly people as perhaps any in the world. Some few of these people have been among the planters of New England from the beginning."[1] It is a singular circumstance that several of the oldest Congregational churches in England—many of whose members early came to this country—were afflicted with what this same Cotton Mather calls "the hydrophobie of Anabaptism." The Gainsboro Church (founded 1602), of which John Smyth —"a man of able gifts and a good preacher" (Bradford) —was pastor, and the church of John Robinson at Scrooby (founded 1606), were probably at their beginning originally one; and both these pastors with many of their people emigrated, though at different times, to Holland, where there were already many "*fratres Angli in Belgia exulantes.*" Smyth, who, as is commonly averred, at first joined the Brownist church, of which Francis Johnson was pastor and the learned Henry Ainsworth was teacher—though Dr. H. M. Dexter states that he established a "*Second* English Church at

[1] "Magnalia," Lib. II., 459.

Amsterdam"—afterward became an Anabaptist or Se-baptist, as he is commonly called.[1]

In the "True Story of John Smyth" will be found an interesting discussion and a flat and vehement denial of the genuineness of the wonderful "Records of the Ancient Baptist Church of Crowle," which inform us that prior to their coming to this country, nearly all the Pilgrim fathers, Carver, Brewster, Bradford, Winslow, Prince (but not John Robinson) were Baptists!

Mr. Smyth, who seems in many respects to resemble Roger Williams, has ever been regarded as a gifted man but as wanting in stability. He says, however,

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[1] Dr. Dexter, in his "Congregationalism as seen in its Literature," p. 319, and in his "True Story of John Smyth," has produced much seeming evidence for Smyth's self-baptism, but we must still beg leave to doubt. Smyth's own statement is that "seeing ther was no church to whome we could joyne with a Good conscience to have baptisme from them, ther for wee might baptize ourselves." At a later date when he had adopted other views, he and his new followers speak of their former error "that they began to baptize themselves"—*se ipsos baptizare*. But if this refers to individual self-baptism it would prove that each one of Smyth's company baptized himself, which would be proving too much; for no one supposes that each member of his church (which a writer of that time calls "a *company* of Se-baptists") baptized himself. Smyth furthermore maintained that it requires two at least to institute a proper church or baptism. Edward Bean Underhill, a distinguished English Baptist, advances the idea that Smyth and others, who differed from the Dutch Baptists in several particulars, were "unwilling to resort to them for baptism, and became of the opinion that it might be originated among themselves," as in the case of Roger Williams and his friends. And from this, as he supposes, originated the charge that Smyth baptized himself. See S. S. Cutting's "Historical Vindications," pp. 57–60. We may here remark that the term "anabaptism," as used in early times decides nothing as to the mode of re-baptism. Dr. Dexter maintains that Smyth, like the Mennonites, was baptized by affusion, and that even the Anabaptists in England did not practise immersion, till about the year 1641, which last assertion will not be generally believed See Dr. Armitage's "History of the Baptists," pp. 425–465.

that to "fal from the profession of Puritanisme to Brownisme, and from Brownisme to true Christian Baptisme is not simply evil or reprovable in itself, except it be proved that we have fallen from true religion." Many adhered to him in his change of views, but the greater number opposed him and charged him with being "a murderer of the souls of babes and sucklings by depriving them of the visible seal of salvation." His successor, Thomas Helwys, with his church, about the year 1611—the year in which our Common version of the Bible made its appearance—published to the world a Confession of Faith, wherein they boldly affirmed that,

> The Magistrate is not by virtue of his office to meddle with religion or matters of conscience, to force or compel men to this or that form of religion or doctrine, but to leave Christian religion free to every man's conscience, and to handle only civil transgressions, injuries, and wrongs of man against man, . . . for Christ only is the king and lawgiver of the church and conscience.[1]

Helwys, we may remark, once belonged to the "ancient church of Separatists," probably to that of Gainsboro, and, according to John Robinson's statement, he more than others furthered the cause of emigration to Holland. Probably through the influence of Smyth he was led to a change of views. Robinson and others had a controversy with both Smyth and Helwys.

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[1] In Crosby's second volume, Appendix II., of his 'History of the English Baptists" is "A most Humble Supplication" to King James I., published 1620, "of many of his Majesty's Loyal Subjects, Unjustly called Ana-baptists," wherein they say that "no man ought to be compelled to a worship wherein he hath not faith, seeing there is but one Lord and one Lawgiver over the conscience."

The next oldest Congregational church was that of Southwark, London, founded or re-established in 1616, of which Henry Jacob was pastor, who in 1624 removed to Virginia, where he soon died. Under its second pastor, John Lothrop, more than a score of its members seceded and formed a Particular or Calvinistic Baptist church, in 1633, with John Spilsbury as their pastor.[1] Prof. A. H. Newman in his recent "History of the Baptist Churches" states as a matter of considerable importance, that Mark Luker (or Lukar) who seceded with Mr. Spilsbury from the Southwark Church, and was immersed in 1641, became a ruling elder and a leading worker in John Clarke's church at Newport, thus forming a connecting link between the first Calvinistic Baptist church in England and one of the two earliest American Baptist churches. He died a few months after Mr. Clarke, 1676, "leaving" as Backus says, "the character of a very worthy walker."

It was "At a Disputation in Southwark," held October 17, 1642, between Mr. William Kiffen, with three others, and Dr. Daniel Featly, that "The Dippers [were] Dipt, or the Anabaptists dvck'd and plung'd over Head and Eares" by (the tongue of) said Featly, who in the Dedication of his work to the reader, says: "I could hardly dip my pen in anything but gall," which utterance does not seem to be that of a conscious victor in debate.

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[1] In Mr. Felt's "Ecclesiastical History" it is stated that a manuscript, dated 1646, supposed to have been written by Richard Mather, of Dorchester, containing a reply to nine reasons of John Spilsbury for proving that infants should not be baptized, is now in the American Antiquarian Society's Collections, in Worcester.

After the Southwark secession, Mr. Lothrop with about thirty members emigrated in 1634 to "the wilderness called Scituate," in Plymouth Colony, and here again they were divided on the subject of baptism. A part of the members with their pastor withdrew in 1639 to Barnstable, where also at a later date there were "great divisions" on the Baptist question, and Charles Chauncy, a Pedobaptist immersionist, who had been preaching in Plymouth for nearly three years, was chosen in 1641 to be Mr. Lothrop's successor in Scituate.[1] After a service here of thirteen years, till 1654, he, on condition of his forbearing to disseminate his peculiar views, was elected president of Harvard College, in place of the genial and gentle Henry Dunster, "*vir pietate, doctrina, prudentia insignis*," who, after serving fourteen years, from 1640, as the first

[1] Edward Winslow writes in 1646 (as quoted in Prof. Newman's "History of the Baptist Churches"), that "in the government of Plymouth, to our great grief, not only the pastor of a congregation waiveth the administration of baptism to infants, but divers of his congregation are fallen with him." This is supposed to refer to Chauncy and his congregation at Scituate. And yet there is indubitable evidence that he held to and practised the immersion of infants. The historian of this town says, "There seemed to be three parties in Scituate at this time: one of which held to infant sprinkling, another to adult immersion exclusively, and a third (of which was Mr. Chauncy), to immersion of infants as well as adults." It is not easy to reconcile these differing statements. The one sure thing about the matter is, that he "waived the administration of baptism" in the customary form of sprinkling. His contest with the Plymouth Church had reference solely to immersion. This was the subject of the public disputes which he held with the neighboring ministers, and it was his arguments in favor of immersion which, by request of the Plymouth Church, were sent to the churches and ministers of the Massachusetts, Connecticut, and New Haven Colonies, for the purpose of refutation. Of course, to one like him who was fixed in his views "as the earth was vpon the center," their answers were not satisfactory.

president of the college, and having to the consternation of the authorities "unaccountably fallen," as Cotton Mather expresses it, "into the briars of Antipedobaptism,"[1] was invited by the Court in 1654, as a person "unsound in the fayth," to resign his office, and thereafter he became in turn Chauncy's successor in the Scituate parish till his death in 1659. The law of 1653, which may have been enacted in reference to his defection, and by which the Court was enabled to intimate the desirableness of his resignation, reads as follows: "Every person that shall publish and maintain any hoethrodoxe and erroneous doctrine shal be liable to be quaestioned and censured by the County Court where he liveth, according to the merrit of his offence."[2]

Thus it was that the Baptists emigrated from England to America, and as they were deemed obstinate and turbulent there, so, though even to a greater degree, were they regarded here. The Puritans of the Massachusetts Colony gave them very hard and opprobrious names, such as "soul murderers," "troublers of the churches," "incendiaries of the Commonwealth," and more than one writer applied to anabaptism the offensive term, "scab." Dr. Increase Mather charged them with "setting up altar against the Lord's altar," and Urian Oakes, afterward president of Harvard College, branded their doctrine as "an engine framed to cut the throat of the infantry of the churches." To stay the early tide of the anabaptistic errors, and to establish the contrary opinions, Lothrop in 1644 published, "To Sion's Virgins: Or a Short Forme of Cate-

[1] "Magnalia," Lib. II., 78.

[2] For some further account of Henry Dunster, see Appendix A.

chisme of the Doctrine of Baptisme. In use in these Times that are so full of Questions." In the same year appeared Thomas Shepard's "New England's Lamentations for Old England's present errours and divisions, and their feared future desolations, if not timely prevented, occasioned by the increase of Anabaptists, rigid Separatists, Antinomians, and Familists, together with some seasonable remedies," etc. In 1645 George Philips, of Watertown—ancestor of those who founded the famous Andover and Exeter Academies—wrote a "Reply to a Confutation of some Grounds for Infant Baptism," with an Introduction by Thomas Shepard of Cambridge.[1] Still later, in 1647, John Cotton, the great light and strong pillar of early Puritanism, wrote on "The Grounds and Endes of the Baptisme of the Children of the Faithful." In the same year, Nathaniel Ward, of Ipswich—who got up the "Body of Liberties," adopted by the Puritan Court in 1641—published in England his "Simple Cobler of Aggawam in America, Willing to help 'mend his Native Country lamentably tattered both in the upper-leather and Sole, with all the honest stitches he can take," etc., in which work he scourges Anabaptists and others with no little severity. The next year Thomas Cobbet, of Lynn, published "A Just Vindication of the Covenant and Church-estate of Children of Church members, as also of their Right unto Baptisme; Wherein such things as

[1] In Vol. X. of the Massachusetts Archives (a collection of some 240 volumes of manuscripts in the Secretary's Department of the State House in Boston), is a letter of Mr. Philips, in which he petitions the Court to remit the fine imposed on John Stowers, one of his church, for reading an Anabaptist book, stating that he is "perswaded Stowers is free from all Anabaptistical opinions."

have been brought by divers to the contrary, especially by Joh. Spilsbury (and others), are revised and Answered." And in 1649 Thomas Hooker, "a luminary of the first magnitude," issued a work "intituled" the "Covenant of Grace Opened; wherein These particulars are handled, viz., What the Covenant of Grace is; What the Seales of the Covenant are; Who are the Parties and Subjects fit to receive these Seales, From all which Particulars Infants' Baptisme is proved and vindicated." We may mention here another quaintly titled work written several years later, 1681, by Samuel Willard, teacher of the "Old South" Church, Boston, afterward acting president of Harvard College: "*Ne Sutor ultra Crepidam*" (Cobbler, stick to your last), the same containing "Brief Animadversions upon the New England Anabaptists late Fallacious Narrative," etc. This "Narrative," which was in part an answer to Dr. Increase Mather's "Divine Right of Infant Baptism," was from the pen of John Russell, styled by the historian Hubbard, "a wedderdop'd shoemaker," of Woburn, afterward pastor of the Baptist church in Boston.[1]

Our Puritan forefathers professedly came to this

[1] For such "consecrated cobblers" as Elder Russell, and William Wickenden, of Rhode Island, one of the pioneer Baptist preachers in the Province of New Netherland (New York), and William Carey, the pioneer Baptist missionary to India, the Christian world may well be thankful. In 1656, the "Cobbler from Rhode Island" was sentenced to pay a fine of £100 Flemish, and to be banished out of the Province, but to remain in prison till the fine and cost of the process be paid. The Council, however, remitted his fine on being informed that he was a poor man, "with a wife and many children, by profession a cobbler, which trade he neglects, so that it will be impossible to collect anything from him"; though, if ever seen in the Province again, "he shall be arrested and kept in confinement till the fine and costs are paid in full."

"remote corner of the earth to advance the kingdom of our Lord Jesus Christ, and to enjoy the liberties of the Gospel in purity with peace." Again, in 1685, in their address to King James II., they say that their fathers came to this "vast howling wilderness" in order that "they and wee their children after them might worship God according to the dictates of our consciences, founded upon the Sacred Scriptures, which liberty of our religion wee esteeme more deare to us than our liues." Again they say: "Our highest ambition is to live a poore and quiet life in a corner of the world without offence to God or man." In coming, therefore, to "this Pathmos," this "vast and waste wilderness," they designed to make it a quiet Christian home for themselves, "an innofencive retjrement to worship God," and preserve his truth; and hence, as nursing fathers to the church, the magistrates felt it right to exclude from their partnership or company any persons of pernicious faith and practice who might venture to intrude. They had not learned from Jeremy Taylor that

> It is also a part of Christian religion that the liberty of men's consciences should be preserved in all things where God hath not made a limit or set a restraint; that the soul of man should be free and acknowledge no master but Jesus Christ; that matters spiritual should not be restrained by punishments corporal; and that the same meekness and charity should be preserved in the promotion of Christianity that gave it foundation and increment and firmness in the first publication.

Nor had they attained to Roger Williams' high ideal of

> the duty of the civil magistrate to suppress all violence to the bodies and goods of men for their soul's belief, and to pro-

vide that not one person in the land be restrained from, or constrained to, any worship, ministry, or maintenance, but peaceably maintained in his soul as well as corporal freedom.

Such doctrine as this would be to the Puritan authorities a "cursed, intolerable toleration," adapted only to an impossible Utopia, where, according to one of its earliest laws, "it should be lawfull for everie man to favoure and folow what religion he would." They knew and deeply felt that a small and feeble community cannot bear those internal antagonisms which a larger and stronger one would scarcely feel. "It is evident," says Dr. Increase Mather, "that toleration is in one place not only lawful, but a necessary duty, which in another place would be destructive; and the expectation of it irrational. That which is needful to ballast a great ship will sink a small boat." John Fiske remarks that "the Puritan communities were to some slight extent influenced by such conditions as used to prevail in primitive society, where above all things the prime social and political necessity is social cohesion within the tribal limits," without which "the existence of the tribe is likely to be extinguished." In these conditions he traces the rise of the persecuting spirit which will begin to pass away after men have become organized into great and strong nations. Charles Francis Adams, in his criticism of the Puritans, makes no distinction between the necessities of a little struggling community and those of a powerful nation.

As we have seen, the Puritan emigrants sought here a peaceful home for themselves; and as no one has a right to enter a house without the owner's consent, and "if without authority and with violence one presumes

to enter, such intruder may justly forfeit even his life;" so they ask "if the publicke keepers and guardians of the Commonwealth have not as much power to take away the liues of such as, contrary to prohibition, shall jnvade and intrude into theire publicke possessions or territorjes as Private and particular habitations." Dr. Palfrey, in his "History of New England," claims that "no householder has a more unqualified title to declare who shall have the shelter of his roof than had the Governor and Company of Massachusetts Bay to decide who should be sojourners or visitors within their precincts." In 1659 John Norton, the successor of John Cotton in the first Boston church, published a book entitled, "The Heart of New England Rent" (by the evil tenets and practices of the Quakers), in which he says:

> The wolf which ventures over the wide sea out of a ravening desire to prey upon the sheep, when landed, discovered, and taken, hath no cause to complain, though for the security of the flock, he be penned up with that door opening upon the fold fast shut, but having another door purposely left open whereby he may depart at his pleasure, either returning from whence he came or otherwise quitting the place.

"If," says the Rev. William Hubbard, of Ipswich, in an election sermon, 1676, "If the owner or keeper of a vineyard shall make a thorn hedge about it, if any man by violence breaking in shall wound or destroy himself, where will the blame be found—in them that make the hedge so sharp and strong, or in them that attempted without leave violently to break in?" Dr. Thomas Arnold, who advocated a union of Church and State, also advances the theory that "every people in

that country which is rightfully theirs may establish their own institutions and their own ideas; and no stranger has any title whatever to become a member of that nation unless he adopts their institutions and ideas."

This theory seems plausible, but somehow it does not work well in practice so far as nations and governments are concerned.[1]

Our fathers, moreover, "in forming their Politique Constitution, had an eye principally and primarily unto the Ancient Platforme of God's lawe." In other words, their government was theocratic; God himself being their Governor, and the Bible, or rather the Old Testament, and more particularly "Moses his Judicials," being the statute book. Their ideal form of government was not democratic but monarchical, with God as their monarch. Said John Cotton:

> Democracy I do not conceive that ever God did ordain as a fit government either for Church or Commonwealth. If the people be governors, who shall be governed? As for monarchy and aristocracy, they are both of them clearly approved and directed in Scripture, yet so as referreth the sovereignty to himself and setteth up theocracy in both as the best form of government in the Commonwealth as well as in the Church.

As early as 1631 the Court passed an order that "no man shall be admitted to the freedom of this body politick, but such as are members of some of the churches within the limits of the same." Thus from this date

[1] For a discussion of the right of exclusion and banishment under the Puritan Charter, which grants allowance, under certain circumstances, to "repulse, repell," etc., see Dr. George E. Ellis' "Puritan Age in Massachusetts," Chapter VII.

onward (until 1664) all voters in civil affairs, and all government officers, had to be church-members. Hence the Puritan government, like that of Israel, was both civil and religious, State and Church, which they compared to Moses and Aaron kissing each other on the mount of God —being regarded as essentially one. We may call it a Church-State system. The Puritan State House, as it has been said, was within the meeting-house. Hence the Commonwealth, as "growing out of the Church," and being "administered for and by God," must be regarded as virtually identical with the church.[1] In thus adopting the Jewish Commonwealth as the mode for their government, they felt it be God's government rather than theirs, and that any disobedience to it was virtually rebellion against God.

As Dr. Geo. E. Ellis remarks:

> They were acting under the restraint of a divine obligation and covenant, and not as being at perfect liberty to use their own wit or wisdom in plans of their own. . . They could say, as in fact they did say, to many victims of their severe discipline: "You are not simply withstanding us, breaking our laws, defying our authority, you are rebelling against God; and as we have put ourselves under his rule and statutes, we intend to hold you to the same subjection." . . If one who has but a superficial knowledge and apprehension of the principles and spirit of Puritanism is disposed to pronounce upon their rule

[1] Perhaps for a small matter nothing better illustrates this Church and State union than the case of Mrs. Sherman and her lost pig, the interest in which became so deep and general that it greatly convulsed both Church and Commonwealth. This contention, beginning in 1636, was not really settled till 1644, when the General Court was divided into two branches, the Senate and House of Representatives. Thus, as Winthrop says, did "a great business grow out of a very small occasion."

that they must have been inborn inquisitors and fiends of cruelty, he must be left free to hold that opinion, or advised to enlighten it.

Evidently under this theocratic rule, while private thought might be indulged, yet but little liberty of personal utterance or action could be allowed apart from public authority. The Puritan rule took cognizance of the outward breaches of the first table—which relates to our duties to God—as well as of the second. No meetings could be held or attended, no meeting-houses could be built, no minister chosen and settled, no salary fixed and provided for, apart from the action or authority of the "General Corte." Townships were granted on the condition that the citizens should sustain an able and orthodox ministry.[1] Hence the Court enacted as early as 1638 that,

"Every inhabitant in any town is lyable to contribute to all charges both in Church and Commonwealth, whereof he doth or may receive benefit. . . And every inhabitant who shall not voluntarily contribute proportionably to his ability . . . for upholding the ordinances in the churches as otherwise, shall be compelled thereto by assessment and distress." Even in the first year of Boston's settlement a tax of sixty pounds was assessed on Boston and neighboring villages for the maintenance of Elders Wilson and Philips. In 1646 a law was passed requiring all persons, not incapacitated, to attend the preaching provided for them on the Lord's Day, and on days of fasting and thanksgiving, under a penalty of five shillings for each case of ab-

[1] The town of Hanover, where the writer now resides, was incorporated in 1727, under the condition that its inhabitants "do within the space of two years erect and finish a suitable house for the public worship of God, and, as soon as may be, procure and settle a learned Orthodox minister of good conversation, and make Provision for his comfortable and honourable support."

sence. The court also "ordered that if any Christian (so called) within this jurisdiction shall contemptuously behave himselfe towards ye word preached or ye messengers thereof called to dispence ye same, either by interrupting him in his preaching, or by charging him falsely with any error which he hath not taught in ye open face of ye church, or, like a sonn of Korah, cast upon his true doctrine or himselfe any reproach to ye dishonour of ye Lord Jesus who hath sent him, and to ye disparagement of his holy ordinance, and making God's wayes contemptible and ridiculous; yt every such person or persons (whatever censure ye church may passe) shall for the first scandall be convented and reproved openly by ye magistrates at some lecture, and bound to their good behaviour. [Under this law ex-President Dunster was arraigned in the church where he had so often preached and worshiped, for "open contempt of God's word and messengers," by "interrupting," not the "preaching" indeed, but the services.] And if a second time they break forth into like contemptuous carriages, either to pay five pounds into the public treasury, or to stand two houres openly upon a block four foote high, on a lecture day, with a paper fixed on his breast with this: A WANTON GOSPELLER, written in capitall letters." [1]

[1] The Connecticut Colony was settled by emigrants from the vicinity of Boston, and in forming their government they naturally adopted many of the laws of Massachusetts. They at first even named their towns after those they had left; calling Hartford, Newtown; Windsor, Dorchester; and Wethersfield, Watertown. We find the above laws of 1638, 1646 incorporated almost verbatim in the first code of Connecticut Colony (1650), only "Wanton Gospeller" gives place to "an open and obstinate contemner of God's Holy Ordinances," which phrase was afterward, in 1672, adopted by the Massachusetts authorities. The New Haven Colony even more than that of Connecticut, borrowed in letter or spirit from the civil polity and laws of Massachusetts. By their legislature it was "ordered that the judicial lawes of God as they were delivered by Moses, ande as they are a fence to the morall lawe, being neither typicall nor ceremoniall, nor had any reference to Canaan, shall be accounted of moral equity, ande generally binde all offenders ande be a rule to all the Courts in their proceedings against offenders." "None shall be admitted freemen or free burgesses within this jurisdiction or any part of it, but such planters as are members of some one or other of the approved churches of New Eng-

A law of 1652 required all towns to be supplied with a minister, a meeting-house, and a parsonage, and all the inhabitants to be taxed for their support. The Court enacted in 1654, for the comfortable maintenance of the ministry:

That the County Court in euery shire shall (vppon information given them of any defect of any congregation or township within the shire) order and appoynt what mayntenance shalbe allowed to the ministers of that place, and shall issue out warrants to the select men to assesse, and the constable of the said towne to collect the same, and distreine the said assessment vppon such as shall refuse to pay.

A law of 1658, relating to the selecting of ministers, thus reads:

Whereas it is the duty of the Christian magistrate to take care the people be fed with wholesome and sound doctrine, and in this houre of temptation, wherein the enemy designeth to sowe corrupt seede, every company cannot be thought able or fitt to judge of those gospell quallifficications required in the publicke dispensors of the word, . . . considering also the rich blessing of God flowing from the good agreement of the civill and church estate, and the horrible mischeifes and confusions that follow on the contrary; it is therefore ordered that henceforth no person shall publicquely and constantly preach to any company of people whither in church society or not, or be ordeyned to the office of a teaching elder, where any two organnick churches, Councill of State, or General Court shall declare their dissatisfaction thereat, either in reference to doctrine or practize.

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land." "The Court shall, with all care and diligence, provide for the maintenance of the purity of religion, and suppress the contrary according to their best light from the word of God." "All who refuse to pay, or subscribe not according to their means (for supporting the ministry), shall be assessed at a just rate with others. If any refuse to pay after being so taxed, they shall be made to pay."

When now that "godly minister," Roger Williams, proclaimed in Salem the "newe and dangerous opinion" that "the civill magistrates' power extends only to the Bodies and Goods and outward State of men," having no right to meddle with one's religion or with matters of conscience, such a doctrine as this, was indeed, as they allege, subversive of their (theocratic) government, and tended to undermine the foundations of their colony. And so on "3d Sept.," according to a loose statement of the Colony Records, or more probably, October 9 (19 N. S.), 1635, the Massachusetts Court (with the approval of all the ministers save one), "ordered that the said Mr. Williams . . . shall depte [departe] out of this jurisdiccon within sixe weekes nowe nexte ensueing." John Haynes, who was governor that year and pronounced the sentence of banishment against Williams, afterward, with Thomas Hooker, took up his abode in Connecticut. We read in Backus' "History," Vol. II., 515, that:

> When Williams was at his house in Hartford, Haynes said to him: "I must now confess to you that the most wise God hath provided and cut out this part of his world for a refuge and receptacle for all sorts of consciences. I am now under a cloud, and my brother Hooker, with the Bay, as you have been. We have removed from them thus far, and yet they are not satisfied."

But all was not peace even in Salem, after Roger Williams left, as we may see by the following mandate sent by the authorities at Boston:

TO THE CONSTABLE OF SALEM.

Whereas we are credibly informed that divers persons (both men and women) within your town do disorderly assemble them-

selves both upon the Lord's day and other times, and contemptuously refusing to come to the solemn meetings of the church there (or being some of them justly cast out) do obstinately refuse to submit themselves that they might be again received; but do make contentions and seduce divers persons of weak capacity, and have already withdrawn some of them from the church, and thereby have caused much (not only disturbance in the church, but also) disorder and damage in the civil state, so as if they be suffered to go on, your town is like to be deserted of many of the chief and most useful members, to the great dishonour of God; these are therefore to require you forthwith to repair unto all such disordered persons (taking assistance of two or three honest neighbors) and signify unto them that their said course is very offensive to the government here, and may no longer be suffered, and therefore command them from us to refrain all such disordered assemblies and pretended church meetings, and either confine themselves to the laws and orders of this government, being established according to the rule of God's word, or else let them be assured that we shall, by God's assistance, take some such strict and speedy course for the reformation of these disorders, and preventing the evils which may otherwise ensue, as our duty to God and charge over this people do call for from us. And when you have given them this admonition you shall diligently attend how it is observed, and certify us accordingly, as you will answer your neglect herein at your peril.

H. VANE, *Gov'r.*
JO. WINTHROP, *Dept.*
THO. DUDLEY.

From Boston this 30 of the 3 month (May), 1866.

It was almost an axiom with our Puritan fathers that religious toleration is incompatible with the authority of magistrates, or indeed, with the existence of the civil State. In opposition to such an idea and to show how soul-freedom and governmental authority may co-exist, Roger Williams uses the following striking and beautiful illustration:

There goes many a ship to sea with many hundred souls on one ship, whose weal and woe is common, and is a true picture of a commonwealth or an human combination or society. It hath fallen out sometimes that both Papists and Protestants, Jews and Turks, may be embarked into one ship; upon which supposal I affirm that all the liberty of conscience that ever I pleaded for, turns upon these two hinges: that none of the Papists, Protestants, Jews, or Turks, be forced to come to the ship's prayers or worship, nor compelled from their own particular prayers or worship, if they practise any. I further add that I never denied that notwithstanding this liberty, the commander of this ship ought to command the ship's course; yea, and also command that justice, peace, and sobriety to be kept and practised both among the seamen and all the passengers. If any of the seamen refuse to perform their service, or passengers to pay their freight; if any refuse to help, in person or purse, toward the common charges or defense; if any refuse to obey the common laws and order of the ship concerning their common peace or preservation; if any mutiny and rise up against their commanders and officers; if any should preach or write that there ought to be no commanders nor officers because all are equal in Christ, therefore no masters or officers, no laws nor orders, no corrections nor punishments; I say I never denied but in such cases, whatever is pretended, the commander or commanders may judge, resist, compel, and punish such transgressors according to their deserts and merits. This if seriously and honestly minded may, if it so please the Father of lights, let in some light to such as willingly shut not their own eyes.

The Puritans would, in opposition to the above, force all the company in their "ship of State," to come to their prayers and worship and help support the same, and would forbid all other worship; and they would do this on the ground that such attendance and conformity was a righteous demand of their divinely ordained and divinely administered government, and to refuse obedience was not only to rebel against God, but to under-

mine said government; and in such a case the commanders or magistrates "may judge, resist, compel, and punish such transgressors." Under the theocratic government of Massachusetts, "heresy and treason were convertible" terms (Straus' "Roger Williams").

Roger Williams, we may remark, was not banished as a Baptist, though he had "anabaptistic tendencies." In after-life he was a Baptist church-member probably only a few months—in Judge Staples' opinion, and according to the Church Records compiled in 1775, about four years—and then he became what is customarily called, "a Seeker," or one who waits for the reappearance of true apostles. The principal reason given for his banishment was that he "broached and dyvulged dyvers newe and dangerous opinions against the aucthoritie of Magistrates, as also writt lrs [letters] of defamacon both of the magistrates and churches here, and that before any conviccon, and yet mainetaineth the same without retraccon." John Winthrop voted against him, but afterward regretted it, and in view of his subsequent services to the colony, was disposed to recall him from his banishment and confer upon him some mark of favor for his services.[1] I am inclined to

[1] When Mr. Winthrop on his death-bed was pressed by Mr. Dudley to sign an order of banishment of an heterodox person (Mr. Matthews, a Welsh minister), he refused, saying, "I have done too much of that work already." Williams had Gov. Winthrop for a lifelong friend, and we do not wonder that when writing to John Winthrop, Jr., Governor of Connecticut, he should say that he "ever honored and loved and ever shall the root and branches of your deare name." Williams writes that Stephen Winthrop, another of Gov. Winthrop's sons, was "a great man for soul liberty." Indeed, Mr. Williams has words of praise for very many of the Puritan fathers and would seem to think more highly of them than do many of their descendants. He calls Gov. Haynes, who pronounced sen

think that Roger Williams' "services," particularly by his preventing a conspiracy among the Indians, saved the Puritan colony from utter destruction. In Vol. X. of the "Plymouth Colony Records," p. 438,[1] is an exceedingly interesting letter written in 1654 by Williams to the Massachusetts people, urging them to keep peace, especially with the Narragansetts. In this letter he incidentally alludes to some of his services by reminding them—

Yt vpon ye expresse advice of Your euer honoured Mr. Winthrop, deceased, I first adventured to begin Plantation among the thickest of these Barbarians; That in ye Pequt wars it pleased your honoured Goernment to employ me [a few months after his arrival at Providence] in ye hazardous and waighty service of negociating a leauge between Yourselves and ye Narrigansetts when ye Pequt Messengers (who sought ye Narrigansetts leauge against ye English) had almost ended yt my worck and Life together. ["Three days and nights my business forced me to lodge and mix with the bloody Pequod ambassadors, whose hands and arms, methought, reeked with the blood of my countrymen, murdered and massacred by them on the Connecticut River, and from whom I could not but nightly look for their bloody knives at my own throat also."—From a letter to Major Mason.] That at ye subscribing of yt sollemne Leauge (which by ye mercy of ye Lord I had procured with ye Narrigansetts) Your Government was pleased to send unto me ye Copie of it,

tence of banishment against him, a "heavenly man," and he speaks of Edward Winslow as "that great and pious soul," "a wise and eminently Christian Governor," who nevertheless advised Williams, though with the loss of his harvest, to "remove" from Seekonk, which was within the Plymouth Colony limits, "to the other side of the water, where he had the country before him, and might be free as themselves, and they should be loving neighbors together." Yet Williams felt himself "as good as banished from Plymouth as from Massachusetts," and he may justly have said, A bull of excommunication follows me wherever I go.

[1] See also Knowles' "Memoir of Roger Williams," pp. 272–278.

subscribed by all Hands, Yours and Theirs, which yet I keepe as a Monument of Mercy and a Testimonie of Peace and Fayth-fullness betweene You both. That since yt time jt hath pleased ye Lord so to order it yt I haue bene more or less interested and vsed in all ye great Transactions of War or Peace between ye English and ye Natiues, and haue not spared, Purse, nor Paines, nor Hazards (very many times) yt the whole Land, English and Natiues might sleepe in peace securely.[1]

I think it is not generally known that on March 31, 1676, the Council of Massachusetts revoked, partially at least, Roger Williams' sentence of banishment in these words:

Whereas, Mr. Roger Williams stands at present under a sentence of Restraint from coming into this Colony, yet considering how readyly and freely at all tymes he hath served the English interest in this time of warre with the Indians, and manifested his particular respects to the Authority of this Colony in several services desired of him, and further understanding how by the last assault of the Indians upon Providence his House is burned and himself in his old age reduced to an uncomfortable and disabled state, Out of Compassion to him in this condition the Council doe Order and Declare that if the sayd Mr. Williams shall see cause and desire it he shall have liberty to repayre into any of our Towns for his security and comfortable abode during these Public Troubles, He behaving himself peaceably and inoffensively and not disseminating and venting any of his different opinions in matters of religion to the dissatisfaction of any.[2]

Had our Baptist historians been aware of the above

[1] See further in Appendix B.

[2] Vol. X., p. 233, of the "Mass. Archives." So far as the writer is aware, he had the pleasure of first calling the attention of the Baptist public to this interesting document, as also to the existence of the original manuscript, by publishing it in certain of our religious newspapers. It had been previously published in Vol. X., p. 6, of the "Plymouth Colony Records," and in Dr. Ellis' "Puritan Age in Massachusetts."

reference to "matters of *religion*" in the revoked sentence of banishment, they would have found it much easier answering Dr. H. M. Dexter, who contended that Williams' "exclusion from the Colony took place for reasons purely political, and having no relation to his notions upon toleration." [1]

We doubt whether the "New England firebrand," as George Fox, the Quaker, called Williams, could ever be so far "quenched" as to be welcomed in close embrace for any length of time by the "lord brethren" in the Bay Colony. Certainly for him it was an impossibility to stifle his convictions and muffle his mouth anywhere merely for his own personal comfort and advantage. Williams died about eight years after this, according to the latest investigations, in the spring of 1684.

We may add that Williams, in a letter addressed to Gov. Endicott, in 1652,—shortly after the whipping of Holmes,—gives his view of one of the reasons of his banishment. He says:

> Let it not be offensive in your eyes that I single out a point, a cause of my banishment, wherein I greatly fear one or two sad evils have befallen your soul and conscience. The point is that of the civil magistrates dealing in matters of conscience and religion, as also of persecuting any matter merely spiritual and religious. . . Sir, I must be humbly bold to say 'tis impossible for any man or men to maintain their Christ by their sword, and to worship a true Christ! to fight against all consciences opposite theirs and not to fight against God in some of them, and to hunt after the precious life of the true Lord Jesus Christ. . . I end with an humble cry to the Father of mercies . . . that no sleep may seize upon your eyes nor slumber upon your eyelids until your serious thoughts have calmly and unchangeably,

[1] "As to Roger Williams," p. 79.

through help from Christ, fixed on a moderation toward the spirit and consciences of all mankind, merely differing from or opposing yours with only religious and spiritual opposition.[1]

It must be conceded that Williams had his peculiarities and his notions, but he was far from being a "mere weathercock, constant only in inconstancy," or a man with "a windmill in his head." "How," asks Backus, "came men of university learning to write great volumes against a windmill and a weathercock?" Dr. George E. Ellis, in his "Puritan Age" says: "A windmill must be adjusted by breezes and points of the compass, as Williams never was. He never turned on axis or spindle, though he created a stiff breeze when it was not furnished for his use." No winds, methinks, ever turned him from the "rockie strength" of his deep convictions. And now that the more important principles of Roger Williams are everywhere established and cherished in the land,[2] I think it were well, even at this late day, that our people should erect to his memory, as Governor Winthrop suggested, some memorial as a "mark of favor" for his services, perhaps

[1] The whole of Williams' pungent personal appeal to Gov. Endicott, formerly a member of his church in Salem, may be found in Backus' "History," Vol. I., pp. 209–212. Our readers will recollect that the hanging of the Quakers occurred under Endicott's administration.

[2] Professor Gervinus, in his "Introduction to the History of the Nineteenth Century," speaking of universal suffrage, religious freedom, etc., established in Rhode Island, says (as quoted by Straus): "These institutions have not only maintained themselves here, but have spread over the whole Union. They have superseded the aristocratic commencements of Carolina and of New York, the high-church party in Virginia, the theocracy in Massachusetts, and the monarchy throughout America; they have given laws to one-quarter of the globe, and, dreaded for their moral influence, they stand in the background of every democratic struggle in Europe."

in that city which has already honored his friend whom he styles "that noble soul," the "prudent peacemaker," the "ever honored, prudent, and pious Mr. Winthrop," and of whom Williams said, "He tenderly loved me to his last breath."

A few instances of the early attempted suppression of anabaptism in the Massachusetts Colony may here be noticed.

Among the John Smiths in this country was a "miller at Dorchester," who bore that name, and who, having espoused the cause of Roger Williams, or being affected with similar anabaptistic tendencies, was also banished in 1635 for his "dyvers dangerous opinions," and the next year was found in company with Williams in exile.

In 1639 several individuals attempted, according to Benedict, "to found a Baptist church" in Weymouth, with Robert Lenthall as their pastor. All who aided this movement were either fined, whipped, imprisoned, or banished. Among these, as we suppose, was another John Smith and a John Spur, whose name we shall meet again. Each of these was sentenced to pay twenty pounds, the former to be committed during the pleasure of the court. In after years Smith was fined still more heavily for certain alleged offenses. Lenthall, having been censured by the Court, and making some retraction, subsequently removed to Newport, and preached there for a time in the church to which Dr. Clarke ministered, as it would appear, before he and his church openly became Baptists, "about 1644." It seems to me, however, to be doubtful whether the attempted founders of the Weymouth Church can be

properly regarded as Baptists. Lenthall at that time is simply reported as holding that, "Only baptism was the door of entrance into the visible church," and also as laboring "to get such a church on foot as all baptized ones might communicate in without any further trial of them." Cotton Mather classes him among "the anomalies."[1]

It is stated that a colony of persons, chiefly under the lead of Pastor Newman, though some of them may have been Baptistically inclined, emigrated from Weymouth and elsewhere about 1643, and settled in Rehoboth, in Plymouth Colony, where the Lord "made room" for them (Gen. 26 : 22). Rehoboth, we may remark, has an interesting history, especially for Baptists, it being the place (Seekonk) where the banished Williams made his first temporary abode; where Obadiah Holmes, also from Salem, resided for several years, and formed a Baptist society in 1649; where Pastor Samuel Newman, the persecutor of Holmes, prepared his "large and complete concordance" of the Bible, much of it in the night-time, "by the light of pine-knots"; where was formed, under the leadership of Mr. Myles, in 1663, the first permanent Baptist church in Massachusetts, with its history and its records (still in existence) going back nearly a score of years to a Baptist church in Wales, and where, on account of its

[1] In 1640 the town of Newport employed Mr. Lenthall "to keep a public school for the learning of youth," and some have claimed this to be the first free public school in America. Schools existed earlier than this in Massachusetts, but in most instances were maintained by private subscription. (See Savage's Note to Winthrop's "History of New England," II., 215.) In the course of two or three years Mr. Lenthall appears to have left Newport for England.

prevalent Anabaptistry the authorities, both of Plymouth Colony and the Bay, particularly directed their attention. Many Baptist churches and interests trace their origin to this place. If any persons wish to know what one woman of Rehoboth, Mrs. Rachel (Thurber) Scammon, the pioneer Baptist of New Hampshire, did for the Baptist cause in that State, they will find some account of her labors in Backus' "History." We may add that during this present writing the inhabitants of Rehoboth have celebrated the two hundred and fiftieth anniversary of their town, which, as they claim, was once a rival with Boston for Capital honors.

In 1643 Lady Deborah Moody, "a wise and anciently religious woman" (Winthrop), being admonished by the Salem church for denying infant baptism, thought it best, in order to avoid further trouble, to remove to Long Island, among the Dutch. Many others infected with Anabaptism also removed thither. It is stated that on her journey she stopped with the family of Theophilus Eaton, the first governor of the New Haven Colony, and that through her influence, Mrs. Eaton, who was a daughter of an English bishop, was converted to Anti-pedobaptist views. The self-exiled woman met with serious trouble in her new home from the Indians, but she did not fare so badly as the noted Antinomian heresiarch, Mrs. Hutchinson, who was there slain with nearly all her family.[1]

[1] We may here state as a matter of some interest, that Mrs. Hutchinson, during her exile at Newport, was professionally attended by Dr. John Clarke (who was a physician as well as preacher), in a case of maternity, and that her chief opponent, Governor Winthrop, had many questions to ask of him relative to an alleged monstrous birth. A still more prodigious birth is reported of the unfortunate Quakeress, Mary Dyer.

In the same year, Nathaniel Briscoe, of Watertown, "a rich man—a tanner," was fined ten pounds for writing a book protesting against a law recently passed (1638), which enforced assessments for the maintenance of ministers. John Stowers, before mentioned, was fined forty shillings "for reading of divers offensive passages before company, out of the book." As to the arguments of the book, the ministers of that day declared that "they were not worth the answering, for he that will deny the exerting of the civil power to provide for the comfortable subsistence of them that preach the gospel, is rather to be taught by a cudgel than argument." In Part III., under Section VII., the reader will find some sarcastic comments by Isaac Backus on this cudgel argument. Physical force as the persuasive argument of persecutors seems to have been in use in all ages and in all countries of the world. In the exceedingly able plea for toleration made by the English Baptists to Charles the Second,[1] they affirm that the persecutors' "strongest argument for the support of their religion is, TAKE HIM, JAYLOR!"

In the early part of 1644, Thomas Painter, a poor man of Hingham, near Boston, who had become an Anabaptist and would not suffer his wife to have their child baptized, being unable to pay a fine, was for thus "reproaching the Lord's ordinance" tied up and whipped, "which he bore without flinching, and declared he had divine help to support him." Some of his neighbors did not give him a very good character, yet he appears to have been worth whipping.[2] At a much later

[1] See Crosby's "History," Vol. II., pp. 100–144.

[2] We may here note that in 1648 the Court proceeded to try Edward

date than this, Baptists did not receive much better treatment in Hingham. On May 28, 1782, Richard Lee, from Rhode Island, "a gifted member of one of our churches" (Backus), having labored successfully in the adjoining town of Scituate, was invited to hold a meeting in Hingham. A mob, armed with clubs and stones, broke up the meeting, tore Mr. Lee's clothes, bruised and injured his body, and after insulting him in divers other ways, forcibly carried him and two other baptized brethren out of the town, and threatened his life if he ever came there again. The case was carried to the Court in Boston; five men out of thirteen against whom complaint was entered were indicted, and trial was appointed for January 14, 1783. Mr. Lee traveled from his home in Rhode Island, seventy miles to Scituate, and then twenty-three more to Boston in

Starbuck, of Dover, N. H., for the "great misdemener committed by him with profession of Anabaptisme." It will be remembered that Hanserd Knollys, from England, having been "denied residence in the Massachusetts," preached in Dover some four years (1638–1641), and having embraced Baptist principles, became in 1645 pastor of a Baptist church in London. His preaching in this country must have been essentially Baptistic according to the testimony of Cotton Mather, for he speaks of him as being a "godly Anabaptist," and as having "a respectful character in the churches of this wilderness," though Winthrop reports him as confessing to unchastity. He also charges him, as he does Lenthall, of Weymouth, with "holding some of Mrs. Hutchinson's opinions." Through Winthrop we also learn that "a sister of Mrs. Hutchinson, the wife of one [Richard] Scott, being infected with Anabaptistry, and going last year [1637] to live at Providence, emboldened Mr. Williams to make open profession thereof." He also says of the Hutchinsonians of Aquiday [Rhode] Island, that "divers of them turned professed Anabaptists." Mr. [John ?] Clarke and many others who were disarmed at Boston as supposed sympathizers with Mrs. Hutchinson, took up their abode as early as 1638 at this island. Even John Cotton at one time was led far away into Hutchinsonianism.

midwinter with witnesses, and after an expensive attendance there of some days, the case was put off till April. Finally it was proposed by the rioters to settle the matter outside the Court, and a sum of money was paid him, "far short of what many thought they ought to have done." Two of the witnesses referred to were women who made the start in a sleigh ; but while stopping in a friend's house in Hingham one evening, their sleigh was taken away and cut to pieces, and their horse could not be found till the next day.[1]

Let us now attend (November, 1644) the Massachusetts General Court and listen to the first law which it passed against "ye Anabaptists"—passed at this time because, as Winthrop informs us, "Anabaptistry increased and spread in the country." For the first law it seems rather severe, and to stand in marked contrast with the law in Nathaniel Ward's "Body of Liberties," adopted by the Colony in 1641, which provides that if any strangers or people of other nations, professing the Christian religion, should fly to them from tyranny or oppression of their persecutors, they should receive entertainment and succor "according to that power and prudence God shall give us." But, alas for the poor Anabaptists ! they were not strangers or people of other nations, but fellow-citizens. The Puritan authorities evidently entertained and practised

[1] See reference to this whole matter in Backus' "History," Vol. II., 273, and more fully in his pamphlet published May 10, 1783, entitled: "A Door Opened for Equal Religious Liberty and no Man can Shut It."

"BOSTON:
Printed for the Author and sold by
Philip Freeman, at the Glove,
in Union Street."

upon the belief of Samuel Willard that "such a rough thing as a New England Anabaptist is not to be handled over tenderly." "The truth is," says the General Court of 1646:

The great trouble we haue beene putt unto and hazard also by Familistical and Anabaptisticall spirits whose conscience and religion hath been only to sett forth themselves and raise contentions in the country, did provoke us to provide for our safety by a lawe that all such should take notice how unwelcome they should be unto us either coming or staying.

The Massachusetts Colony had indeed been troubled and provoked in many ways, and especially at an early date, by Antinomian spirits, of whom Mrs. Anne Hutchinson was the principal leader; as also by any amount of heresies (the Synod meeting in Cambridge in 1637 on account of the Antinomian controversy, finding eighty-two "erroneous opinions," besides nine "unwholesome expressions"); all of which presents a seemingly dark history. Notwithstanding all the trouble from seducing and vexing spirits, the commissioners from the four united Colonies meeting in New Haven this same year, 1646, yet seem to have regarded God's providences to these Colonies as remarkably favorable. They say:

Whereas, our good God hath, from the first, don great thinges for his people in these colonyes in sundry respectes, worthy to be written upon our owne harts, with a deepe character and impression, not to be blotted out and forgotten, and to be transmitted to posteritie that they may know the Lord and how he hath glorified his grace and mercy in our foundacons and beginninges, that they also may trust in him and walke with a right foote before him without warping and declyninge,

it is desired by the commissioners, that all the colonyes, as they may, would collect and gather vp the many speciall providences of God toward them since their arrivall and setling in theis partes, how he hath made roome for ym, how his hand hath bin with them in laying their foundacons in church and commonwealth, how he hath cast the dread of his people, weake in themselves, vpon the Indians, . . . and in all respects hath bin a sonne and sheeld to vs; and that memorialls being made, they may be duly communicated and seriously considered, that nothing be mistaken, but that history may be compiled according to truth with due waight, by some able and fitt man apointed thereonto.

Evidently the Puritan fathers did not want any writer to "sophisticate away the facts" of their history, as, according to Mr. C. F. Adams, most historians have done. For ourself we have aimed to present the facts truly, seeking nothing to extenuate or aught set down in malice.

With the views of toleration which were held by the Puritan authorities, they could not be expected to tolerate the Anabaptists. "Our famous Cotton," says Increase Mather in his preface to Willard's "*Ne Sutor*," "who was another Moses in respect to meekness and Christian forbearance . . . would sometimes make a zealous protestation that if magistrates in New England should tolerate transgressors against the rules of godliness . . . he believed that God would not long tolerate them." "God forbid," said Governor Thomas Dudley, "that our love for the truth should be growne so could that we should tolerate errours." The Puritan fathers, in the words of Urian Oakes, regarded "an unbounded toleration as the first-born of all abominations." And John Norton remarked that "to toler-

ate everything and to tolerate nothing are both intolerable." But let us now note the law in question :

Forasmuch as experience hath plentifully and often proved yt since ye first arising of ye Anabaptists about a hundred years since, they have bene ye incendiaries of Commonwealths, and ye infectors of persons in maine matters of religion, and ye troublers of churches in all places where they have bene, and yt they who have held ye baptizing of infants unlawfull have usually held other errors or heresies together therewith, . . and whereas divers of this kind have since our coming into New England, appeared amongst ourselves, some whereof have (as others before ym) denied ye ordinance of magistracy and ye lawfulness of making warr, and others ye lawfulnes of magistrats and their inspection into any breach of ye first table, which opinions, if they should be connived at by us, are like to be increased amongst us, and so must necessarily bring guilt upon us, infection and trouble to ye churches and hazard to ye whole Commonwealth—

It is ordered and agreed yt if any person or persons within ys iurisdiction shall either openly condemne or oppose ye baptizing of infants, or go about secretly to induce others from ye approbation or use thereof, or shall purposely depart ye congregation at ye administration of ye ordinance, or shall deny ye ordinance of magistracy or their lawfull right or authority to make warr or to punish ye outward breaches of ye first table, and shall appear to ye Court wilfully and obstinately to continue therein after due time and means of conviction, every such person or persons shalbe sentenced to banishment.

The next year (Oct., 1645) divers persons petitioned for "consideration of ye lawe against Anabaptists"; whereupon the Court voted that the law mentioned "should not be altered at all or explained."[1] But

[1] One form of the Court Records reads as follows: "In answer to ye peticon of Em : Douning, Nehe : Bourne, Robt Sedwicke, Theo : Foule, with others, for ye abrocacon or alteracon of ye lawes against ye Anabap-

in 1646 the Court granted the petition of seventy-eight persons "for ye *continuance* of such orders, without abrogation or weakening, as are in force against Anabaptists and other erronios persons."[1]

In view of the allegations in the above law, we may remark, in the words of Backus: "How little care has been used by the Pedobaptist party to distinguish the innocent from the guilty among the Baptists! So far from such a care . . . it has been a common trade of that party to ransack Germany in order to reproach the English Baptists with errors and bad actions which we never had any more concern with than our accusers have with the whoredom of Pope Joan!" In justice to the Puritan authorities it must be observed that some of them did not regard the banishment (of other people) to be much of a punishment, since, according to John Cotton, it the rather conferred upon the banished a larger freedom—a view of the matter which simply added insult to injury.

In the very year the foregoing law was passed, Roger Williams, in answer to John Cotton's letter concerning the power of the magistrate in matters of religion, published the "Bloudy Tenent of Persecution for Cause of Conscience, discussed in a Conference betweene Truth and Peace." In 1647 Cotton responded to this in "The Bloudy Tenent, washed and made white in the Bloud of the Lambe; being discussed and discharged of Bloud-Guiltinesse by just Defence," to which "the

tists, and laws yt requires speciall allowance for new comers residing here, itt is ordered yt the lawes in yr peticon menconed shall not be altered or explayned at all." "New comers" were not allowed to remain in the Colony above three weeks without license.

[1] For this petition, see Appendix C.

discusser," Williams, in 1652 made reply in his "Bloody Tenent yet more Bloody by Cotton's Endeavor to wash it white in the Blood of the Lambe; of whose precious Blood, spilt in the Blood of his Servants and of the Blood of millions spilt in former and later wars for Conscience' sake, that most Bloody Tenent of persecution for cause of Conscience, upon a second trial, is found now more apparently and more notoriously guilty."

About this time there appears to have been a wide difference of views among the churches as to the subject of infant baptism, most churches baptizing infants, one at least of whose parents was a church-member in full communion; others baptizing children if either of their grandparents was such a member, though the immediate parents were not; and others still, who "thinke that whatever be ye state of ye parents, baptisme ought not to be dispensed to any infants whatsoever." In view of this diversity of opinion, and for fear lest Anabaptistic views and practices should extend farther, the General Court, acting as Moses, and having the care of all the churches, invited, on May 15, 1646, the Aaronic Elders and Messengers of the United Colonies,[1] "Plimouth, Connectecott, and Newe Haven," to meet with those of Massachusetts Bay "at Cambridge upon the first day of September now next ensewing, there to discusse,

[1] In 1643 the four Colonies: Massachusetts, Plymouth, Connecticut, and New Haven (Rhode Island being left out in the cold), united in defense against the Indians and for other purposes, and thereafter two men, "all in church fellowship," were chosen annually from each Colony to act as Commissioners of the "United Colonies of New England." This was a beginning of the greater confederation of the United States of America, and was never favorably regarded by the British Crown.

dispute and cleare up, by the word of God, such questions of church government and discipline in ye things aforementioned, or any other as they shall thinke needful and meete." They continued at this work, at intervals, two years, until the summer of 1648, when, with the approval of the court, they published a "Platforme of Church-Discipline gathered out of the word of God." According to this platform, heresy is "to be restrained and punished by civil authority," and the "coercive power of the Magistrate" is to be put forth as exigencies shall require. A striking instance of the Court's generosity to this Synod is found in their order "to send twelve gallons of sack, and six gallons of white wine as a small testimony of ye Court's respect to yt reverend Assembly." Some have charitably supposed that the gift was in part occasioned by the prevailing sickness of that time.

A confirmation of the above declared diffusion of Anabaptistic views is found in a letter written by Thomas Hooker, of Connecticut, in 1646, to Thomas Shepard, of Cambridge: "I like those Anabaptists and ther opinion every day worse than other." And he speaks of "an ill presage that unlesse you be very watchful you will have an army in the field before you know how to prepare or oppose." He mentions that his "Notes on Pedobaptisme" are now out of his hand.[1]

[1] Hooker, "the light of the Western churches" (Cotton Mather), died the next year, July 7, 1647, "as the sun was setting." The chronicler adds: "The same hour of the day died blessed Calvin, that glorious light." Hooker's son-in-law, Thomas Shepard, "a soul-ravishing minister," and "a soul-melting preacher" of the gospel, died 1649, aged 43; Gov. Winthrop died the same year; John Cotton three years later. Hence an elegiac strain (on the latter personage), thus runs:

It was Hooker's "resolve that he would have an argument able to remove a mountain before he would recede" from the doctrine or practice of infant baptism, which resolve some thirteen years later was adopted by the "matchless Mitchell," of Cambridge, as a shield against the arguments of President Dunster, to whom, though his pastor, he, being but a young man, was "fearful to go needlessly" on account of "a venom and a poison in his insinuations and discourses against pedobaptisme." It is said that in after years Mitchell "preached more than half a score of ungainsayble sermons" in defense of infant baptism. It

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And after Winthrop's, Hooker's, Shepard s hearse,
Doth Cotton's death call for a mourning verse?
Thy will be done. . .
Whilst he was here, life was more life to me,
Now he is not, death hence less death shall be.

And again:

In Boston's orb Winthrop and Cotton were;
These lights extinct, dark is our hemisphere.

Some have conjectured that a spirit of rivalry existed between Messrs. Cotton and Hooker, and that this may have been one reason why the latter removed from Newtown (Cambridge) to Hartford. Yet Mr. Hooker is thus eulogized by Cotton:

'Twas of Geneva's worthies said with wonder,
(Those worthies three), Farel was wont to thunder,
Viret like rain on tender grass to shower,
But Calvin, lively oracles to pour.

All these in Hooker's spirit did remain,
A son of thunder and a shower of rain:
A pourer forth of lively oracles,
In saving souls, the summ of miracles.

Messrs. Cotton, Hooker, and Davenport (who was Wilson's successor in Boston), had the honor of being invited to the Westminster Assembly of (Presbyterian) Divines, but did not accept the invitation. The remains of Cotton and Davenport now lie in the same tomb, close to the tomb of the Winthrops, in the King's Chapel burial place, Boston.

should be understood that the "pedobaptisme" of that day maintained, in the words of Thomas Shepard, 1649, that "children are members of the visible church and their membership continues when adult, and the children of believers are to be accounted of the church until they positively resist the Gospel." About "three months before his going to the Lord," he wrote a letter which was subsequently published, in which he advocates "the Church-membership of children, and their Right to Baptisme." A similar view was advanced by John Norton, the "judicious and eagle-eyed seer,"[1] who held that "children confederated in their parents as public persons are made [born] Church-members," and that "this distinct Church-membership gives them a proper right unto baptism." See also a previous reference to the works of Cobbett and Hooker.

We come now to the year 1651. Thomas Dudley, who had been governor, was now deputy governor, and we can see what his influence would be in the matter of persecution from the lines of his own composing, found in his pocket after his decease:

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[1] Of Norton, the successor of John Cotton, in the First Church of Boston (died 1663), a eulogist thus writes:

> The schoolmen's doctors, whomsoe'er they call
> Subtile, seraphic, or angelical:
> Dull souls! their tapers burnt exceeding dim;
> They might to school again to learn of him.
> Lombard must out of date; we now profess
> Norton the master of the Sentences.
> Scotus a dunce to him; should we compare
> Aquinas, here, none to be named are.

One naturally wonders what a few feeble, illiterate "Anabaptists" could do in a contest with these eminent Puritan divines whose names are so highly eulogized.

Let men of God in Courts and Churches watch
O'er such as do a toleration hatch,
Lest that ill egg bring forth a cockatrice,
To poison all with heresie and vice.
If men be left and otherwise combine,
My Epitaph's, I dy'd no libertine.

A visitor to Boston on Thursday, September 5th, the Lecture and "mercate" day of the town, would have witnessed, with a large crowd, at the head of "King" Street, near where the meeting-house stood, and where the old State House now stands, the public whipping of Obadiah Holmes, a "lowly" Baptist preacher of the gospel of Christ.[1] He with two other

[1] A few months before this one might have witnessed not a whipping but a burning in this same place; not a burning of witches or heretics, but of an heretical book on the atonement written by William Pynchon, a magistrate of Springfield. This author held that Christ did not bear our sins by God's imputation, and did not suffer the torments of hell to redeem our souls from them. Of course he was not suffered to go unmolested by the civil authorities. They also appointed John Norton to answer the erroneous treatise. Norton maintained "that the Lord Jesus Christ as God-man and Mediator, according to the will of the Father, and his own voluntary consent, fully obeyed the law, doing the command in the way of works, and suffering the essential punishment of the curse in a way of obedient satisfaction unto divine justice, thereby exactly fulfilling the first covenant; which active and passive obedience of his, together with his original righteousness as a surety, God of his rich grace, actually imputeth unto believers, whom, upon the receipt thereof by the grace of faith, he declareth and accepteth as perfectly righteous, and acknowledgeth them to have a right unto eternal life." This view was publicly endorsed by Cotton, Wilson, Richard Mather, Symmes, and Thompson, as "the life of our souls and of our religion."

In reference to burning at the stake, I may state, that in Palfrey's "History of New England," mention is made of a burning of a Negro murderess in Boston in 1681, "the first that has suffered such a death in New England," (Mather's Journal). In New York, in 1741, twenty-two persons were hung, and eleven burned as participants in an alleged Negro conspiracy. Four of those who were hung were whites.

"erroneous persons," Dr. John Clarke and John Crandall, of Newport, R. I., were holding a religious meeting on Lord's Day, July 20, in the house of William Witter, an aged, blind, and infirm Baptist in the outskirts of Lynn, when, while Dr. Clarke was preaching (from Rev. 3 : 10) to Witter's household and to "four or five strangers that came in unexpectedly after he began," they were apprehended by the authorities, and later in the day were forced to go some two miles to the village to attend the regular meeting of the place, where, by putting on their hats and by reading a book while the minister (Mr. Cobbett or Whiting) was praying, they showed the disrespect to the service and the worshipers which they had threatened to do if forced to attend. "Watched over that night [in the ordinary] as Theeves and Robbers," they were committed the next day to the prison in Boston (then in Prison Lane, now Court Street) till the last of the month, when they were ordered by the Court to pay a fine or be "well whipt." Crandall, whose offense was deemed less heinous, was fined but five pounds, and was cleared by some informality. Some one without the knowledge of Dr. Clarke paid his fine, £20, and he was discharged. On page 212, of the above cited volume in the Massachusetts archives, may be seen a letter written by Dr Clarke "from the prison," accepting the Court's proposal for a public disputation on points of doctrine with the ministers of the Bay, which, however, through no fault of Mr. Clarke, was never held. The letter reads as follows :

Whereas, it pleased this honored Court yesterday to condemne the faith and order which I hold and practice, and after

you had passed your sentence upon me for it, was pleased to expresse I could not maintaine the same against yr ministers, and thereupon publickly proffered me a dispute with them; be pleased by these few lines to understand I readily accept it, and therefore doe desire you wold appoint the time when, and the p'son[1] with whom, in that publick place whar I was condemned, I might with fredome and without molestation of the civill powre, dispute that point publickly, when I doubt not but by the strenth of Christ to make it good out of his last will and testament unto which nothing is to be added, nor from which nothing is to be diminished; thus desiring the father of lights to shine forth by his powre to expell ye darknes.

I remaine yr well wisher,

JOHN CLARKE.

from the prison
this 1, 6, 51 (August 1, 1651).

In all our civil and religious history no character, we think, stands out purer and nobler than does that of Dr. John Clarke, the noble advocate of the "full liberty of Christian concernments." Backus, in his "History" says: "The Massachusetts writers have been so watchful and careful to publish whatever they could find, which might seem to countenance the severities they used toward dissenters from their way, that I expected to find something of that nature against Mr. Clarke, but have happily been disappointed." Since Mr. Backus' day, however, one or two writers have sought to discredit Mr. Clarke's motives, especially in the Lynn transaction. But to impute—as Dr. Palfrey has done, though with many "ifs," and as Dr. Dexter has done without an "if," or scarcely its equivalent—to Dr. Clarke as the reason for visiting, under appoint-

[1] Clarke hoped that the renowned John Cotton would be that person.

ment of his church, an aged church-member in a retired part of Lynn, at his request, and in the quietest manner possible, a desire and design to be persecuted, and this too for political and selfish ends, is to my mind not only a monstrous stretch of the imagination, but an insinuation baseless and unjust in the highest degree. I wonder that the Puritan authorities were not bright enough to detect the motive of this scheme, and thus to frustrate the schemer's cherished purpose by forbearing his persecution. And then to adduce, as Dr. Dexter has done, Holmes' utterance, "You have struck me as with roses," as an evidence that he was not cruelly whipped, one is at a loss how to characterize and not seem discourteous.[1]

Holmes' offense was deemed by the Massachusetts authorities far less excusable than was that of Dr. Clarke, and they did not seem desirous to accept any proffered payment of his fine. Because he had been an "excommunicate person," and had taken upon himself to preach and to "baptize such as were baptized before," he was fined thirty pounds, to be paid by the first day of next Court, "or else be well whipt." This threatened whipping was strictly illegal, for according to the law of 1644 he should only have been banished. Holmes thought it wrong for himself or for his friends to pay the fine, and so on the day appointed we see

1 I can sympathize somewhat with many things that Dr. Dexter has written about Roger Williams, but while his mistake, in one instance, of putting Clarke for Holmes is easily pardonable, yet his unwarranted and uncharitable assumption in regard to Dr. Clarke's motives, and his objectionable manner of treating so grave a theme, cannot fail to cast suspicion upon his fairness as a critic. See more fully on this subject, Dr. H. M. King's pamphlet, "Early Baptists Defended."

him, after the pulling off of his clothes, tied to the whipping post, while he is telling the people that he is about to be baptized in afflictions that so he may have fellowship with his Lord, and then the executioner, "spitting on his hand three times, as many affirmed, with a three-corded whip giving him therewith thirty strokes" in a manner "grievous to behold." "Not for all Boston," said the sufferer, "would I give my body into their hands thus to be bruised upon another account." When, as at times, it has seemed to me almost impossible that any mortal man could endure thirty separate blows with a three-corded whip—ninety lashes in all—on the naked back,—though, if history be true, many a poor Quaker woman's naked back has in New England been visited with more blows than these,—I have tried to think that possibly only ten strokes with the three-stringed whip were inflicted, as was threatened in the case of John Hazell, who speaks of this as being "the same number that the worst malefactors that were there punished had." Refusing the refreshment of stimulants, he yet, through the "spiritual manifestation of God's presence" sustaining him, was enabled to say to the magistrates, "You have struck me as with roses"; and yet an early writer, Governor Joseph Jenks, of Rhode Island (born 1656), declares "he was whipped thirty stripes, and in such an unmerciful manner that in many days, if not some weeks, he could take no rest but as he lay on his knees and elbows, not being able to suffer any part of his body to touch the bed whereon he lay." Two men, John Spur and John Hazell, who ventured to show him a little sympathy, chiefly by shaking hands, came near sharing the same fate.

Governor Endicott sentenced them to pay a fine of forty shillings each, or be well whipped. Hazell says: "The strokes I was enjoined by the court to have were ten with a three-corded whip." They were both released by some one paying their fines. Backus states that Hazell, one of Mr. Holmes' brethren of Rehoboth, was above three-score years old, and infirm in body, and had traveled nearly fifty miles to visit his beloved brother in prison. After his own release from prison he visited a friend about six miles from Boston, where he was taken sick and died in a few days. One naturally queries whether Obadiah Holmes ought not to have some memorial other than the shadow of a whipping post?

Of course the report of the above proceedings was soon borne to England,[1] and many remonstrances

1 Messrs. Clarke and Williams were in England early the next year, and a work of the former, entitled "Ill Newes from New England, or a narrative of New England's persecution, wherein is declared that, while Old England is becoming New, New England is becoming Old," etc., was issued in 1652, from a London press. Dr. Clarke remained in England some twelve years in the interest of Rhode Island colony, and in 1663 was successful in obtaining a charter, which lasted one hundred and seventy-nine years, and which contained this guarantee of religious liberty: "*Our royal will and pleasure is that no person within the said colony at any time hereafter, shall be in any wise molested, punished, disquieted, or called in question, for any differences of opinion in matters of religion, who do not actually disturb the civil peace of our said colony; but that all and every person or persons may, from time to time, and at all times hereafter, freely and fully have and enjoy his own and their own judgments and consciences in matters of religious concernment.*" Roger Williams truly said of this charter, that it "excels all in New England or in the world, *as to the souls of men.*" It was Williams' desire at the start that his colony "might be for a shelter for persons distressed for conscience." In 1638 a voluntary government was instituted at Providence, each person "promising to submit himself, in active or passive

against such outrageous doings were erelong returned to this country. The very next year after Holmes was whipped, Sir Richard Saltonstall, one of our early magistrates, but then in England, thus wrote to Messrs Cotton and Wilson, of the Boston church:

It doth not a little grieve my spirit to heare what sadd things are reported dayly of your tyranny and persecutions in New England, as that you fyne, whip, and imprison men for their consciences. First you compell such to come into your assemblyes as you know will not joyne with you in worship, and when they show their dislike thereof and witnes against it, then you styrre up your magistrates to punish them. . . These rigid wayes have layed you very lowe in the hearts of the saynts. I doe assure you I have heard them pray in the publique assemblies that the Lord would give you meeke and humble spirits, not to stryve soe much for uniformity as to keepe the unity of the Spirit in the bond of peace. . . I hope you doe not assume to yourselves infallibilitie of judgment.

Cotton died toward the close of this year, 1652, but he lived long enough to answer the above communication. He says:

Wee are amongst those whom (if you knew us better) you would account of peaceable in Israel (2 Sam. 20 : 19). Yet neither are wee so vast in our indulgence or toleration as to thinke the men you speake of suffered an unjust censure. . . As for his (Holmes) whipping, it was more voluntarily chosen by

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obedience, to all such orders or agreements as shall be made for public good of the body, in an orderly way, by the major consent of the present inhabitants . . . *only in civil things.*" And the body of laws framed under the first charter, in 1647, closes with these memorable words: "*And otherwise than thus what is herein forbidden, all men may walk as their consciences persuade them, every one in the name of his God. And let the Lambs of the Most High walk in this colony without molestation, in the name of Jehovah their God for ever and ever.*"

him than inflicted on him, and the imprisonment of either of them was no detriment. I believe they fared, neither of them, better at home; and I am sure Holmes had not been so well clad for many years before.

He then adds:

Wee believe there is a vast difference between men's inventions and God's institutions. Wee fled from men's inventions, to which wee else should have been compelled. Wee compell none to men's inventions. If our wayes (rigid wayes as you call them) have layed us low in the hearts of God's people, yea, and of the saints (as you stile them), wee doe not believe it is any part of their saintship.

After speaking of some Anabaptists and Antinomians, who carry their dissent more privately and inoffensively, as being tolerated in his church, and borne withal in much meekness, he then says:

We are far from arrogating infallibility of judgment to ourselves, or affecting uniformity. Uniformity God never required, infallibility he never granted us.

We may add that John Wilson, the colleague with Cotton for twenty years, who is represented by his contemporaries as "one of the most humble, pious, and benevolent men of the age," and who had "largeness of heart as the sand of the sea, to do good to all," is nevertheless charged by Holmes (unjustly, Cobbett says,) with striking and cursing him in the Court. On his dying bed, being asked what were the sins which were bringing the displeasure of God upon the country, he replied: "Separation, Anabaptism, and Korahism."[1] A poetic eulogist of that time thus speaks of Wilson's virtues:

[1] See more fully in Morton's "Memorial," p. 211.

Firm stood he 'gainst the familist
And Antinomian spirit strong;
He never loved the Sep'ratist
Nor yet the Anabaptists' throng;
Neither the tolerator's strain,
Nor Quaker spirit could he brook.

Increase Mather tells us that

Mr. Wilson, that blessed man of God who like the apostle John excelled in the grace of charity, laid those of his family under solemn adjuration that they should not at any time enter into the Anabaptists' assembly, and refers to a sermon of his on Jer. 29 : 8, where he says, "I charge you do not once go to hear them, for whatsoever they may pretend, they will rob you of ordinances, rob you of your souls, rob you of your God." Blessed Wilson! thy body, thy dust, remaineth still in Boston, but where is thy spirit? where is thy zeal?

Little did these Puritan divines dream that a revival in the two Baptist churches in Boston would be largely the means of saving even the "Old South" Church from going over with so many others to Unitarianism. In proof that this is not all vain boasting, we quote the following from Dr. Benjamin B. Wisner's "History of the Old South Church." After giving some account of the widespread declension of doctrinal belief and spiritual life, he says:

In the fall of 1803 God was pleased to pour out his Spirit on the Baptist churches then in this city and grant them a precious revival of religion which continued with power above a year. [In 1804 Dr. Stillman's church reported eighty-three baptisms and Mr. Baldwin's church one hundred and twenty-eight; and in 1805 the former reported forty-four baptisms, and the latter sixty-seven.] Members of this (Old South) and other Congregational churches frequented the meetings of the Baptists during

this season of special religious attention. Dr. Joseph Eckley (the then pastor of the Old South) and Drs. Stillman and Baldwin had before been in the habit of attending each other's preparatory lectures. By this means Dr. Eckley was brought into the midst of the revival. The good man's heart became warmed. He attended other meetings of the Baptists besides their preparatory lectures, and took part in them in exhortation and prayer. Thus a reviving influence was brought into this congregation which had, for a time, to struggle for existence, but has, by the grace of God, continued even until now (1830), and rendered this again a flourishing vine and caused it to send forth branches all around, that have taken root and are bearing fruit to the glory of God.

He then adds that not only did Dr. Eckley "throw more energy and point into his preaching," but "was anxious that some of those special means might be employed whose happy influence he had felt and witnessed among his Baptist brethren." A proposition to have public lectures given by himself and other clergymen was favored by a considerable majority of the members with some disapproval, while the pew-holders decided adversely against it. Yet on March 13, 1804, both church and congregation voted to "form themselves into a society for religious improvement." "Thus began the Tuesday evening meeting, at which at first there was but one brother of the church who felt sufficient confidence to lead in prayer, and which for a time encountered reproaches and opposition which to us at the present day seem almost incredible, but which was well attended and made a blessing from the beginning, and has lived and flourished until now." As Christian people pass along Tremont Street, Boston, by the burying-ground adjoining Park Street Church, they may well

pause and give thanks to God for his faithful servants, Eckley, Stillman, and Baldwin, whose mortal remains repose therein.

While persecution was thus raging in this country, Roger Williams, on visiting England a second time, thus addressed a "Committee [of Parliament] for the Propagation of the Gospel," of which Cromwell was a member:

> Oh, that it would please the Father of Spirits to affect the heart of Parliament with such a merciful sense of the soul bars and yokes which our fathers have laid upon the neck of this Nation, and at last to proclaim a true and absolute soul-freedom to all the people of the land impartially, so that no person be forced to pray nor pay otherwise than as his soul believeth and consenteth.

It would be tedious and profitless here to speak at large of individual or particular instances of the fines, imprisonments, seizures of goods, setting in the stocks, public whippings, disfranchisements, and banishments, which were inflicted on those who refused to attend the regular service, or to bring their children to baptism (so called), or who in any way showed their disrespect for this ordinance. It may justly be conceded that the Baptists of that day were more "contemptuous and turbulent" than they are at the present. We do not now think it necessary or proper, if present at an infant baptizing or sprinkling, to turn our backs upon it, or to leave the meeting-house, or to protest against it on the spot as being unscriptural, as President Dunster, on some provocation indeed, but contrary to special request, did on one occasion, a protest which he afterward acknowledged to have been "not

seasonably spoaken."[1] Palfrey says: "It may be that Dunster, after the treatment which his fellow-believers from Rhode Island had received, felt self-rebuked for his silence, and that this was what prompted him to bear his testimony [at different times] against the administration of baptism to infants." Still, had they behaved even more circumspectly than we do, the results would not have been greatly different. And were our attendance on such occasions *enforced*, as theirs was at times, we might not improve much upon their example.

Following the order of time we come now to the year 1656, when two Quaker women, Ann Austin and Mary Fisher, from England, arrived in Boston,[2] and

[1] It must be remembered that it was common, or at least not a singular occurrence in the ancient congregations for persons to rise after the sermon and express approbation or disapproval of its different parts. We see an example of this in a certain Sabbath service held at Plymouth, in 1632, when Gov. Winthrop and Rev. Mr. Wilson, of Boston, were present. "On the Lord's day was a sacrament which they did partake in, and in the afternoon Mr. Roger Williams (according to their custom) propounded a question [during the session they discussed, at Williams' request, the lawfulness of calling an unregenerate man by the name of *Goodman Such an One* (!), and Governor Winthrop was asked his opinion thereupon, but whether this was the question here referred to, is uncertain] to which their pastor, Mr. Smith, spake briefly; then Rev. Mr. Williams prophesied, and after, the Governor of Plymouth (Bradford) spake to the question; after him the Elder (William Brewster), then some two or three more of the congregation. Then the Elder (according to Acts 13 : 14, 15,) desired the Governor of Massachusetts and Mr. Wilson to speak to it, which they did. When this was ended, Mr. Fuller (the Deacon) put the congregation in mind of the duty of contribution, upon which the Governor and all the rest went down to the deacon's seat and put into the box, and then returned."—*Winthrop's Journal.*

[2] These women were at once closely shut up in prison, and their naked bodies were examined to see if the marks of witches were not on them. (It was held that the pricking of these devil-marks with a pin did not hurt

when the Puritan Court passed its first law against the "accursed and pernisiouse sectt of heritiques commonly called Quakers." It was a bitter law both against them and their harbingers and abettors; but still severer laws were to follow. Great as were the sufferings of the Baptists in the Bay Colony, they were as nothing compared to the persecutions endured by the Quakers. Indeed these were pursued by the Puritans with a spirit which seems well-nigh malignant. The preamble of the law reads thus:

Whereas there is a cursed sect of hæretickes lately risen up in the world which are commonly called Quakers, who take upon them to be immediatelie sent of God and infallibly assisted by the Spiritt of God to speake and write blasphemous opinions, despising government,[1] and the order of God in the churches and

the witches.) After about five weeks of close imprisonment and half-way starvation, they were sent back to England. Mary Fisher afterward went to Turkey among the Mahometans, and there delivered her burden to the Sultan, Mahomet the Fourth, who gave orders that no injury should be done her in his dominions. It is said that the Turks commonly reverence a crazy person as one inspired.

[1] This assertion is probably too sweeping. In a petition of certain Quakers to the Plymouth General Court, in 1678, they contend only against the payment of ministerial rates, and not of civil taxes. They desired the authorities "to distinguish between the country rate and preachers' maintenance." They say: "We suppose it well enough known we have never been backward to contribute our assistance in our estates and persons, where we could act without scruple of conscience, nor in the particular case of the country rate, according to our just proportion and abilities, until this late continuance of mixing your preachers' maintenance therewith, by the which we are made uncapable to bear any part of what just charge may necessarily be disbursed for the maintenance of civil government, a thing we could always readily do until now." And then they go on to give certain reasons for not paying *clerical* taxes. They think the gospel should be freely preached, and that ministers should get their living as other men. They assert that true ministers never received anything ex-

Commonwealth, speakinge evill of dignities, reproaching and revileing magistrates and ministers, seekinge to turne the people from the fayth and gayne proselites to their pernitious wayes" ; therefore the Court enacted that every person who shall import or bring "within this jurisdiction any known Quaker or Quakers or any other blasphemous hæretickes shall pay or cause to be payed the fine of one hundred pounds, and carry them backe to the place from whence he brought them," he meanwhile remaining in prison till the fine is paid or security given. "What Quakers soeuer shall arrive in this country from foraigne parts or come into this jurisdiction from any parts adjacent, shalbe forthwith committed to the howse of correction, and at their entrance to be seuerely whipt, and by the master thereof to be kept constantly to worke, and none suffred to converse or speake with them dureing the time of their imprisonment, which shall be no longer than necessity requireth" for their deportation. "Any person who shall knowingly import into any harbour of this jurisdiction any Quakers bookes, or writinges concerning their devillish opinions shall pay for euery such booke or writinge . . . the some of fiue pounds. And whosoeuer shall disperse or conceale any such booke or writinge (shall) pay fiue pounds for the dispersing or concealinge of euery such booke or writinge." And any person who shall "defend the hæretticall opinions of the sajd Quakers or any of their bookes or papers as aforesajd, ex animo," shall be fined for the first time forty shillings, for the second time "fower pounds," and if still persisting to "defend and maintajne the sajd Quakers' hæretticall opinions they shall be comitted to the howse of correction till there be convenjent passage for them to be sent out of the land."

All these orders were, on Oct. 21, 1656, "published in seuerall places of Boston by beate of drumme." The next year it was enacted that "any person or persons within this jurisdiccon who shall henceforth enter-

cept from those whom they had spiritually profited, and they did not esteem the Congregational ministers of Plymouth Colony as true ministers, and therefore they could not conscientiously assist in supporting them.

tajne and conceale any such Quaker or Quakers or other blasphemous hæreticks, knowing them so to be, shall forfeite to the countrye forty shillings for euery howers entertajnment or concealement." And it was further ordered that

> If any Quaker or Quakers shall presume, after they haue once suffered what the lawe requireth [the severe whipping and the being sent away], to come into this jurisdiccon, euery such male Quaker shall for the first offence [of returning] haue one of his eares cutt off and be kept at worke in the howse of correction till he cann be sent away at his owne charge, and for the second offence shall haue his other eare cutt off, &c., and kept at the howse of correction as aforesaid, and every woman Quaker that hath suffered the lawe heere that shall presume to come into this jurisdiccon shall be severely whipt and kept at the howse of correction at worke till she shall be sent away at hir oune charge, and so also for hir coming againe she shallbe alike vsed as aforesajd; and for euery Quaker, he or she that shall a third tjme heerin againe offend, they shall haue theire tounges bored through with a hot iron and kept at the house of correction, close to worke, till they be sent away at theire oune charge. And it is further ordered that all and euery Quaker arising from amongst ourselves shall be dealt with and suffer the like punishment as the lawe provides against forreigne Quakers.

In the year after this, October, 1658, upon a petition signed by twenty-five citizens of Boston (among whom were John Wilson and John Norton), urging the authorities to greater severities against the Quakers, and proposing that a return from banishment should be made a capital offense, the Court, by only a majority of one, however, sentenced "every person or persons of the cursed sect of the Quakers . . . to banishment vpon payne of death," which penalty was "according to the

example of England in their provision against Jesuits." Again, in May, 1661, the Court enacts that every vagabond Quaker in the

toune wherein he or she is taken, be stripped naked from the middle vpwards, and tjed to a carts tayle, and whipped through the toune, and from thence imediately conveyed to the connstable of the next toune towards the borders of our jurisdiction; and so from connstable to connstable till they be conveyed through any the outwardmost tounes of our jurisdiction.

And if such vagabond Quaker shall return again, then he is to be treated in like manner. But on returning a third time they are to be committed unto the house of correction, where if not released

they shall be branded with the letter R on theire left shoulder and be severely whipt and sent away in manner as before, and if after this he or shee shall returne againe then they shall be proceeded against as incorrigible rogues and ennemys to the comon peace according to the lawe made anno 1658, for theire banishment on payne of death.

Doubtless the authorities thought that the severity of the threatened punishment would deter the Quakers from coming or returning to the province; but in this they were mistaken. Some Quakers obeying, as they felt, the voice of God, chose to return, and four of them, including one woman, Mary Dyer, were hanged in 1659–61, on Boston Common. They were all hanged probably to a branch of a tree which was reached by a ladder. Some of the victims were buried without coffins in a hole near the gallows. The following is Mary Dyer's letter to the Court:[1]

[1] In Vol. X., page 266, of the State Archives, is a letter written by Mary Dyer the day before her expected execution. It bears this super-

From marie dire to ye Generall court this present 26th of the 8th month '59, assembled in ye towne of boston, in New England, greeting of grace, mercy, peace to every soul yt doth well: tribulation, anguish, and wrath to all yt doth evill.

Whereas it is said by many of you yt I am guilty of mine own death by my coming, as you cal it, voluntarily to boston; I therefore declare unto every one that hath an ear to hear; yt in ye fear, peace, and love of God I came, and in wel doing did and still doth commit my soul as to a faithful Creator, who for this very end hath preserved my life untill now through many trialls and temptations having held out his royall sceptre unto mee by which I have accesse into his presence and have found such favour in his sight as to offer up my life for the truth and people's sake's, whom the enimie hath moved you again without a cause, to make such laws as by him is intended utterly to root out and keep back from among you ye holy people and seed which ye Lord hath blessed forever, called by ye children of darkness cursed quakers, for whom the Lord is rising to plead with all such as shal touch his anointed, or doe his prophets any harm, therefore in the bowels of love and compassion I beseech you to repeal al such laws as tend to this purpose and let the truth and Servants of God have fre passage among you, for verily ye enimie that hath done this cannot in any measure countervail ye gread damage yt will fal upon you if you continue to keep such laws. Woe is me for you. Was there ever ye like laws heard of, made by such as profess Christ come in the flesh? Have such no other weapons to fight with against spiritual wickedness as you call it? Of whom take you counsel? Search with the light of Christ in you, and that will show you of whom as it hath done me, and many more, who hath been disobedient, and deceived, as you now are, which secret light as you come into, you will not repent that you were kept from shedding blood, though 'twere by a woman: Its not my own life I seek

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scription: "Mary Dyer's letter to the Court, presented by her sonne and read in open Court 26th 8 mo. [Oct.], 1659." We give the letter, which is somewhat difficult to decipher, as we find it in "Gleanings at Seventy Five," published in 1883, by Henry Longstreth, Philadelphia.

(for I chuse rather to suffer with ye people of God than to enjoy the pleasures of Egypt), but ye life of ye seed, which I know ye Lord hath blessed, and therefore seeks ye enimie thus vehemently ye life thereof to destroy as in al ages he did. Oh! hearken not unto him I beseech you for ye seed's sake, which is one in al, and deare in ye sight of God, which they that touch, toucheth the apple of his eye and cannot escape his wrath, of which I having felt cannot but persuade al men yt I have to doe withal, especially you who nameth ye name of Christ, to depart from such iniquity as bloodshed even of ye saints of ye most High. I have no self end ye Lord knows, for if my life were freely granted by you it would not be accepted soe long as I shal dayly see or hear the sufferings of my dear brethren and sisters (with whom my life is bound up) as I have this 2 years, and now its likely to increase even unto death for noe evil doing but being among you; therefore let my request have as much acceptance with you (if you be Christians) as Esther had with Ahasuerus, whose relation is short of that that is betwixt Christians, and my request is ye same as hers was to ye king who said, not that he had mad a law and it was dishonorable for him to revoke it, but when he understood that those people were so prised by her and so nearly concerned her, as in words of truth and soberness I have here expressed you, appealing to ye faithful and true witness of God; which is one in al conscienses, before whom wee must all appeare, with whom I do and shal eternally rest in everlasting joy and peace. Whether you will hear or forbear, I am clear of your blood, but you cannot be so of ours, but wil be charged therewith by ye Lord, before whom al your coverings will be too narrow for you, but to me to live is Christ and to die is gain though I had not your 48 hours warning for the preparation of the cruel, and, in your esteme, cursed death of mee, Marie dire. Know this also yt if through ye enmity you shall declare yourselves worse than ye heathen king and confirme your law, though 'twere but by taking the life of one of us, yt the Lord will overthrow you and your laws by his righteous judgment and plagues powered justly on you who now whilst you are warned hereof and tenderly sought unto avoid ye one by removing ye other, will not hear nor obey the Lord nor his serv-

ants, yet will he send more of his servants among you, soe your end shall be frustrated yt think to restrain them you call quakers from cominge amonge you by anything you can do to them, yea, verily he hath a seed that suffereth among you. . . Oh, let none of you put this good day far from you, which verily in ye light of ye Lord I see approaching to many in and about Boston, which is the bitterest, darkest professing place, and soe to continue soe long as you [have] don, yt I ever heard of. O let the time past suffice of such a profession as brings forth such fruits as these laws are. In love and in the spirit of meekness I again beseech you, for I have no enmity to the persons of any, but you shall know that God is not mocked, but what you sow yt shal you reap from him yt will render to every one according to their deeds don in his body, whether good or evil, even so be it saith Marie dire, who also desireth yt ye people called quakers in prison that's in ye town of Boston at ye time of our execution, may accompanie us to ye place and see ye bodyes buried.

In consequence of a petition of her son, she was to be reprieved at the last moment, though this was unbeknown to her, on condition that she stand on the gallows with a rope around her neck till the others were hanged; and if found in the colony forty-eight hours after that, to be immediately executed.

When the three who were first sentenced (William Robinson, Marmaduke Johnson, and Mary Dyer) were led to execution, accompanied with armed soldiers,[1] and

[1] Edward Wanton was one of the guard on this occasion, but so impressed was he with the behavior of the condemned, that on going home he said: "Alas, mother! we have been murdering the Lord's people"; and taking off his sword, put it by with a solemn vow never to wear it again. He afterward removed to Scituate, where he carried on shipbuilding, and where he also built up a flourishing society of Friends, of which he became the minister. But even here, in 1678, he was forced to pay a fine of ten pounds for "disorderly joining himself to his now wife in marriage," or, in other words, for marrying in Quaker fashion.

with the noise of drums to drown the voices of the condemned, she walked between the two, joining hands with them till they reached the gallows. After seeing her companions hanging dead before her, she also stepped upon the ladder; but after her clothes were tied about her feet, the halter adjusted about her neck, and her face covered with a handkerchief, "which the priest—Wilson—lent the hangman—"[1] just as she was to be turned off a cry was heard: "Stop, for she is reprieved." She was roughly taken down from the ladder, and carried back to prison, but shortly after was conveyed toward Rhode Island, and thus returned to her home. Her husband, William Dyer, with a family of several children, one of whom was named Maher-shalalhashbaz, lived in Rhode Island, where for many years he held government office. Not many weeks after this she felt constrained to leave her home, and to return to Boston in supposed obedience to the will of God, in order to effect a possible repeal of the unrighteous law of banishment upon pain of death. And at this time, on June 1, 1660, she was led forth from prison "about nine of the clocke in the morning," and the sentence of death was executed on her.

In Dr. Ellis' "Puritan Age in Massachusetts" is a petition of William Dyer to Governor Endicott, written between the reprieve and the execution, in which he pleads with tears for the life of his wife, while condemning her "inconsiderate madness." The original is found in Vol. X., p. 266, of the State Archives. The petition, dated Portsmouth (R. I.), May 27, 1660, reads as follows:

[1] See William Sewel's "History," Vol. I., p. 411.

Honored Sir.—It is no little grief of mind and sadness of hart that I am necessitated to be so bould as to supplicate your honored self with the hon^ble Assembly of your Generall Court, to extend your mercy and favor once agen to me and my children. Little did I dream that I should ever have had occasion to petition you in a matter of this nature; but, so it is, throw the divine providence and your benignity my sonn obtained so much pity and mercy att your hands as to enjoy the life of his mother.

Now my supplication to your honors is to begg affectionately the life of my deare wife. 'Tis true I have not seene her above this halfe yeare, and therefore cannot tell how, in the frame of her spirit, she was moved thus again to run so great a hazard to herself and perplexity to me and mine, and all her friends and well wishers; so it is from Shelter Island, about by Pequid, Narragansett, and to the town of Providence, she secretly and speedily journeyed, and as secretly from thence came to your jurisdiction. Unhappy journey, may I say; and woe to that generation and age that gives occasion thus of grief and trouble to those that desires to be quiet, by helping one another (as I may say), to hazard their lives for I know not for what end or to what purpose. If her zeale be so greate as thus to adventure, oh, let your favor and pitye surmounte itt, and save her life. Let not your forwonted compassion be conquered by her inconsiderate maddness; and how greately will your renowne be spread, if by so conquering you become victorious. What shall I say more? I know you are all sensible of my condition, and let the reflect be, and you will see what the petition is, and what will give me and mine peace. Oh, let mercies wings once more soar above justice ballance, and then whilst I live shall I exalt your goodness. But otherwise 'twill be a languishing sorrowe, yea, soe great that I should gladly suffer the blow att once much rather. I shall forbear to trouble your honors with words, neither am I in a capacity to expatiat myself at present. I only say this: yourselves have been, and are, or may be, husbands to wife or wives, and so am I, yea to one most dearelye beloved. Oh, do not you deprive me of her, but I pray give her me out again, and I shall bee soe much obliged forever that I shall endeavor

continually to utter my thanks and render your love and honor most renowned. Pitty mee. I begg itt with teares, and rest

your most humble suppliant,

W. DYER.

Hard as was the fate of Mary Dyer, we think it preferable to the horrid scourgings from the three-corded, knotted whip which were endured by her Quaker sisters, Anne Coleman, Mary Tompkins, Alice Ambrose, Elizabeth Hooton, and others in the Puritan Colony of Massachusetts. No one, I am sure, can read any full account of these cruel barbarities without feelings of sickening and horror. And I wonder not at the belief formerly entertained, even by some others than Quakers, that the horrors of King Philip's war were a swift-coming judgment of God on these persecuting colonies; nor do I wonder at the starting of the story, and its spread beyond the seas, or at its gaining considerable credence, that God had cursed the blood-stained country around Boston with barrenness, so that no grain would grow and mature as formerly within twenty miles of that town.[1] Without good reason, and yet very naturally, did the early Quakers think that they saw God's righteous judgment specially expressed against Governor Endicott and "high priest Norton," even in the manner of their deaths.[2]

[1] Cotton Mather, in his "Magnalia," Lib. II., p. 270, says: "Some of the principal grains, especially our wheat and our pease, fell under an unaccountable blast from which we are not been even unto this day delivered, and besides that constant frown of heaven upon our husbandry, recurring every year, few years have passed wherein either worms or droughts or some consuming disasters have not befallen the labour of the husbandman."

[2] See William Sewel's "History of the People called Quakers," Vol. I., pp. 598, 600.

Still the authorities of the Bay, in speaking of the Quakers, professed to "desire theire life absent rather than their death present." When the first three were led to execution, the governor told them, "We have made many laws and endeavored by several ways to keep you from us. I desire not your death." Zechariah Symmes and John Norton waited on the prisoners with religious conversation, and so they were not hanged without benefit of clergy. By request of the Court, Mr. Norton drew up "a brief Tractate concerning the doctrine of the Quakers," and so well pleased were the authorities with his performance that they made him a grant of five hundred acres of land. See Volume X., page 266, of the Archives. On page 250 of said volume is a petition of Mary Hams, in May, 1659, to go along with her Quaker brother, Samuel Shattuck —who had been "whipped thirty stripes," and on whom the sentence of death-banishment had been pronounced—to Reverend Mr. Norton's, being "persuaded that if it please god to set it home to his Soule, Mr. Norton may Convince him by som Arguments he may use to turn him from his way." This conference, if ever held, failed of success. Two years later, on an appeal of the English Quakers to the King, a ship was hurriedly dispatched to this country, and the banished Shattuck, being one of the passengers, was intrusted with a mandamus from "Charles R." forbidding any more Quaker executions here. On reaching Boston, first day, Nov. 24, 1661, he proceeded to Governor Endicott's house, where he took the liberty to keep on his hat while he handed him the royal mandate, and had the further privilege of hearing him say: "We shall

obey his majesty's command." He had also the privilege thenceforward of staying in this country, though he was subsequently imprisoned for not paying his fines, and, for the offense of charging the Court and Country with shedding innocent blood, was sentenced to pay five pounds or be whipped. On page 281 of the volume previously named, Eunice Cole has a petition, written Oct. 8, 1662, wherein she states that "your petitioner was sentenced to a double sentence, the one to corporall punishment (which I have suffered), the other to imprisonment during my life or the pleasure of the Court, which sentence to imprisonment is more intollerable to me than any corporall punishment that may be inflicted on me." She implores the Court to "take into their gratious consideration the condition of herself, an aged and weak woman, and of her aged husband, he being eighty-eight years of age and troubled often with swellings and sores in his body which brings him nigh to death oftentimes." She begs them "not to separate my husband and me whom God hath so joined together," and she promises so to behave herself both in word and deed that there should be no cause for future complaint. The Court allowed her, after paying what is due on arrears to the keeper, to "be released the prison on condition that she depart within one month after her release out of this jurisdiction, and not to returne againe on pœnalty of hir former sentence being executed against hir." She did not apparently avail herself of this privilege, for in May, 1665, in answer to her petition, it was "ordered that she may haue hir liberty upon hir security to depart from and abide out of this jurisdiction according

to the former fauor of this Court" Thus this woman, "whose condition required that refreshment both of diet and lodging which a prison does not afford," was doomed still longer to her intolerable confinement.

It is affecting to look over some half a hundred pages of documents in the volume referred to, all relating to the Quakers. The letters, petitions, etc., were often blindly written, and are now hardly legible even to experts, but some of those old faded papers, we are sure, were written in agony and moistened with tears.

It may be a difficult question to decide what should have been done to the Quakers, but perhaps no better answer could be given than that found in the reply of the Rhode Island Court, in 1657, to the confederate commissioners who more than once urged the Rhode Island governor to take some effective measures to suppress the Quakers. The reply thus reads:

As concerning these Quakers (so called) which are now among us, wee have no law among us whereby to punish any for only declaring by words, etc., their minds and understandings concerning the ways and things of God as to salvation and an eternal condition. And we moreover finde that in those places where these people aforesaid, in this colony, are most of all suffered to declare themselves freely, and are only opposed by arguments in discourse, there they least of all desire to come, and we are informed that they begin to loath this place for that they are not opposed by the civill authority, but with all patience and meekness are suffered to say over their pretended revelations and admonitions, nor are they like or able to gain many here to their way; and surely we find that they delight to be persecuted by civill powers, and when they are soe, they are like to gaine more adherents by the conseyte of their patient sufferings than by consent to their pernicious sayings. And yet

we conceive that their doctrines tend to very absolute cutting downe and overturning relations and civill government among men if generally received.[1]

With these sentiments the following observations of Backus well agree. He says:

The hanging of four Quakers in Boston greatly promoted their sect in this country; and the light and liberty which has been enjoyed in latter years has been far from increasing their number. The sect which John Rogers began at New London, in 1677 [called Rogerenes], owed its increase to the severity of the Connecticut government against them; and since that has ceased their society has nearly dissolved. And although the Sandemanians [named from Sandeman, born in Scotland, died in Conn., 1771] made a great noise in New England from 1764 to 1765, yet, having no oppression to complain of, they have hardly a name now [1795] left among us. The followers of Jemima Wilkinson [a sort of Shakeress and deluded enthusiast], who made their appearance October, 1776, and continued some years after, are now all gone from us.

And in speaking of the Episcopalians at a certain period, he says: "As oppression was greater in Connecticut than in other governments in New England, they increased the most there." True it is, as Tertullian said long ago, *semen est sanguis Christianorum*, the blood of the martyrs is the seed of the church.

It scarcely need be said that the Quakers of that day were not the peaceable and well-behaved people

[1] The Indians at Martha's Vineyard managed this Quaker business very admirably. Addressing the Quakers, they said: "You tell us of a light within us that will guide us to salvation; but our experience tells us that we are darkness and corruption, and all manner of evil within our hearts. We cannot receive your counsel contrary to our experience. Therefore, we pray you trouble us no further with your new doctrines."

that they are now. With some reason they were then regarded as persons "distraught in their wits," a set of half-crazy fanatics and anarchists whose principles and practices, if adopted, would be most "damageful" to Church and State. What but the veriest fanaticism could induce modest women, like Deborah Wilson, of Salem, or Mrs. Lydia Wardell, of Newbury (in supposed accordance with Isa. 20 : 2 ; Micah 1 : 8), to walk stark naked through the streets and into the assemblies as a sign of the spiritual nakedness of the ministers and churches? But all their excesses were no sufficient warrant for their being sentenced to the most barbarous forms of corporal punishment, such as branding, slitting of nostrils, cropping of ears, boring the tongue through with a hot iron (which last, I believe, was never executed) and tying persons, even delicate women, to the "carts tayle," and whipping them "stripped naked from the middle upwards," till they get out of town and out of the jurisdiction—which scourging distance was afterward mercifully limited to the extent of "through three towns,"—these and similar tortures which were more or less in vogue until 1661, when the popular feeling would no longer allow the torturing and hanging of Quakers. At the first execution of the Quakers the government ordered "one hundred souldjers, compleately armed with pike, and musketteers, with pouder and bullett, to lead them to the place of execution, and there see them hang till they be dead," and that "thirty-sixe of the souldiers remajne in and about the toune as centinells to preserve the peace of the place whiles the rest goe to the execution."

In connection with the whipping law referred to, one may feel a special interest in reading the following order:

To the constables of Dover, Hampton, Salisbury, Newbury, Rowley, Ipswich, Wennam, Linn, Boston, Roxbury, Dedham [in the direction of Providence Plantations!] and until these vagabond Quakers are carried out of this jurisdiction,—You and every of you are required in the king's majesty's name to take these vagabond Quakers, Anne Coleman, Mary Tomkins, and Alice Ambrose, and make them fast to the cart's tail, and driving the cart through your several towns, to whip them upon their naked backs, not exceeding ten stripes apiece on each of them, in each town; and so to convey them from constable to constable till they are out of this jurisdiction, as you will answer it at your peril; and this shall be your warrant.

RICHARD WALDEN.

DOVER, December 22, 1662.

The historian Sewel, states that "the whip used for those cruel executions [of the Quakers generally] was not of whipcord, as those of England, but of dried gut, and every string with three knots at the end, which being fastened to a stick, the hangman many times laid on with both his hands." We are glad to be told by this author, that the three women mentioned, after having been whipped in the first three towns, were by some means or other then discharged. Yet their subsequent treatment was almost as bad as if they had received all the uninflicted blows. And not even yet were their whippings all over. About one year afterward, Anne Coleman was whipped through Salem, Boston, and Dedham. And in 1664 the other women visited Virginia, "where" (under Episcopal rule) "they had not only been pilloried, but whipped also each of

them with thirty-two stripes, with a whip of nine cords, and every cord with three knots; and they were handled so severely that the very first lash drew blood and made it run down from their breasts."[1] But just think for a moment of the enormity of the above-threatened punishment—ten blows for each individual in each of eleven different towns, on the naked back, at the cart's tail, in mid-winter!

When the persecution of the Quakers was thus raging in this country, and the indignation of the people was so much aroused against it, then it was that "Our dread Soueraigne," King Charles the Second, by an order "given at our Court at Whitehall," in behalf of the Quakers, mercifully bade the Puritan Court "to forbeare theyre corporall punishment or death." A few weeks prior to the king's signing of this order (September 9, 1661), the Puritan authorities, well knowing that there was no Quaker-hanging law in England, and suspecting, doubtless, his majesty's displeasure at their bloody doings, released twenty-eight Quakers from prison, sending most of them directly out of the jurisdiction, but retaining two of them for special punishment, to be stripped from their girdle upward, tied to a cart's tail, and whipped twenty stripes each in Boston, and ten stripes each in Roxbury and in Dedham.[2] Several of these released ones, including Elizabeth Hooton, had been banished

[1] Sewel's "History," Vol. I., p. 590.

[2] This latter town, lying near the borders of Plymouth Colony southward from Boston, and in the direction of "Providence Plantations," seems often to have served as a last stage in their sorrowful journey for the banished Quakers when leaving "ye lymitts" of the Bay.

on pain of death, and on one of them, Wenlock Christison, the sentence of death had been already pronounced. According to the further order of the Court, if any of the Quakers thus freed should be found within the Colony twelve hours after their release, they were to be proceeded with according to law. A fearful prospect indeed for the future.

In the year previous to the king's interdict the Court sent him a humble defense and pathetic appeal for themselves; but it failed to influence the royal mind as they desired.[1] It was answered in England in an address to the king, by Edward Burrough, who, after hearing of the hanging of still another Quaker, William Leddra, in Boston, went himself personally to the king and secured his majesty's favor for the persecuted Quakers of New England. The king's missive which, as we have seen, was intrusted to a banished Quaker, reached Boston the last of November, 1661, and on December 9, the following notice was given:

To William Salter, keeper of the prison at Boston. You are required by authority and order of the general court forthwith to release and discharge the Quakers who at present are in your custody. See that you do not neglect this.

EDWARD RAWSON, *Secretary.*

The king's order which effected this happy change reads as follows:

CHARLES R.

Trusty and well-beloved, we greet you well.—Having been informed that several of our subjects amongst you, called Quakers, have been and are imprisoned by you, whereof some have been

[1] This petition was procured, but was destroyed.

executed, and others (as hath been represented unto us) are in danger to undergo the like; we have thought fit to signify our pleasure in that behalf for the future; and do hereby require that if there be any of those people called Quakers amongst you now already condemned to suffer death, or other corporal punishment, or that are imprisoned and obnoxious to the like condemnation, you are to forbear to proceed any further therein; but that you forthwith send the said persons—whether condemned or imprisoned—over into this our kingdom of England, together with the respective crimes or offences laid to their charge; to the end that such course may be taken with them here as shall be agreeable to our laws and their demerits. And for so doing these our letters shall be your sufficient warrant and discharge.

Notwithstanding the king's mandate, the whippings (which by practice had now become in this Colony as mere play), continued long after this in great abundance, and the death-banishment was also occasionally resorted to. Even the king, in the instructions given to his commissioners, says: "We cannot be understood hereby to direct or wish that any indulgence should be granted to those persons commonly called Quakers whose being (is) inconsistent with any kind of government. Wee have found it necessary by the advice of our Parljament here to make sharpe lawes against them, and are well contented that you doe the like there." In the same instructions the king requires that "such as desire to vse the Booke of Common Prayer and performe their devotions in that manner as is established here, be not debarred the exercise thereof, or vndergoe any prejudice or disadvantage thereby, they vsing their liberty without disturbance to others, and that all persons of good and honest liues and conuersations be admitted to the sacrement of the Lord's

supper according to the Booke of Common Prajer, and their children to baptisme. . . And that all the freeholders of competent estates, not vitious in conversacon and orthodoxe in religion—though of different persuasions concerning church gouernment—may haue their votes in the election of all officers both ciuill and military." To which subsequently the royal commissioners added this counsel, "that differences in opinion doe not lessen their charity to each other, since charity is a fundamentall in religion"! Pretty good this, for King Charles II. or his spokesmen.

The following reply of the Court shows that the Puritans, who had still some remembrance of the High Commission Court and of Archbishop Laud's *régime*, did not take kindly to the Prayer Book recommendation: "Our humble addresses to his majesty haue fully declared our majne ends in being voluntary exiles from our deare native country, which wee had not chosen at so deare a rate could we haue seene the word of God warranting us to performe our devotions in that way, and to haue the same set vp here; we conceive it is apparent that it will disturbe our peace in our present enjoyments." The Court moreover asserted that "concerning liberty to use the Common Prayer book, none as yet among us appear to desire it." We may infer the Puritanic feeling toward the Prayer Book from an incident related by Gov. Winthrop. He records, as "a thing worthy of observation," that his son had among his possessions a Greek Testament, the Psalms, and the Common Prayer, bound together, which volume was kept in a place "where was corn of divers sorts." The last named

book came to a humiliating end, for the son "found the Common Prayer eaten with mice, every leaf of it, and not any of the two other touched." It has, however, since been found that the mice stopped their ravages at the "Order for the Visitation of the Sick"! But Puritan prejudices were at length obliged to give way, and in 1680 the Court so far yields on the Prayer Book matter as to say:

That heerin wee may be the better vnderstood, and stand more cleare in his majesties opinion, wee humbly declare that to be of a different perswasion from ourselves in matters of externall worship, and in particular, to desire to serve God in the way of the Church of England, is no part of that hethrodoxie in religion which our present law concerning admission of freemen doth prouide against.

But, as we intimated, these royal mandates and counsels for leniency were not at once heeded, for as late as 1672, when the laws were revised, the death banishment of the Quakers was suffered to continue, while the law relating to heresy reads as follows:

If any Christian within this jurisdiction shall go about to destroy the Christian religion by broaching and maintaining any damnable heresies: as denying the immortality of the soul, or resurrection of the body, or any sin to be repented of in the regenerate, or any evil done by the outward man to be accounted sin; or denying that Christ gave himself a ransom for our sins, or shall affirm that we are not justified by his death and righteousness, but by the perfection of our own works, or shall deny the morality of the Fourth Commandment, or shall openly condemn or oppose the baptizing of infants, or shall purposely depart the congregation at the administration of that ordinance, or shall deny the ordinance of magistracy or their lawful authority to make war, or to punish the outward breaches of the

first table, or shall endeavor to seduce others to any of the errors or heresies above mentioned; every such person continuing obstinate therein, after due means of conviction, shall be sentenced to banishment.

On May 28 (June 7, new style), 1665, seven brethren and two sisters founded (in Charlestown) the First Baptist Church of Boston (now the oldest evangelical church in the city), and though the authorities could not then legally torture them, they could and did fine, imprison, disfranchise, and banish them. In 1655 a child was born to Thomas Gould, who was afterward their pastor, and he thereupon was censured by the Charlestown church for withholding the child from baptism. Again, in April 7, 1657, he was presented before the Court, along with President Dunster, for neglecting to have his child baptized. Both of them were admonished and put under bonds for future trial. In November, 1663, Thomas Osborn, "being leavened with principles of anabaptisme," is admonished by the church of Charlestown for neglecting worship with the church. And Thomas "Gool" (Gould) is admonished again for neglecting their ordinances. In February, 1664, we find Thomas Osborn re-admonished for the same cause as before, and a similar duty performed on Mr. Gould for having a meeting of Anabaptists at his house on the 8th of the preceding November. And on October 11, 1665, the court sentenced "Thomas Gold (Gould), Thomas Osburne, Edward Drinker, William Turner, and John George, such of them as are freemen to be disfranchised, and all of them, upon conviction before any one magistrate or court of their further proceeding herein [in holding public meetings], to be com-

mitted to prison until the Generall Court shall take further order with them." The next year, April 17, Gould, Osburne, and George were each fined, by the County Court, four pounds for absenting themselves one whole year from the established public worship of God on the Lord's Day, and were required to give bonds of twenty pounds apiece for their appearance at the next Court of Assistants, and refusing to do so, were committed to prison. On the following September they were offered release by paying fines and costs, but in case of their release they were threatened with imprisonment or banishment if they should continue their schismatical meetings. On the 24th of October warrants were put into the hands of the Charlestown constables "to obtain the names of such [Anabaptists] as you shall find met together," etc.[1] On March 3, 1668, the case of Thomas Gould comes before the Court of Assistants on an appeal from the County Court, but the judgment of the latter is confirmed, though the jury are disposed to favor him, and he, refusing to pay the fine imposed, is recommitted to prison. At length, in May, 1668, the Court sentenced Thomas Gold (Gould), William Turner, and John Farnum, "obstinate and turbulent Anabaptists," who "some time since combined themselves with others in a pretended church estate, . . to the great greife and offence of the godly orthodox, . . to remooue themselues out of this jurisdiction, to some other part of this country or elsewhere, before the 20th of July next," or else to "be forthwith apprehended and committed to prison." And so, as they would not remove themselves, the prison, for

[1] See State Archives, X., 224.

something over a year longer, was their home. It will be remembered that Gould, who had been a member of the Charlestown church, of which Thomas Shepard, son of the Cambridge Shepard, was pastor, and Zachariah Symmes was teacher, was subjected to the censure of the church as early as 1655. In subsequent years, as we have seen, he was called up before the Church and Court from time to time, till in 1665 he was excommunicated. He must have been a worthy man and member, otherwise the church would hardly have borne with him so long. Cotton Mather says: "There were in this unhappy schism several truly godly men." And the Puritan historian, Hubbard, reports that "Thomas Gold and some of the rest were said to be 'men of a grave and serious spirit, and of sober conversation.'" Possibly in the historian's mind, John Farnum may have been excepted from the exemplary "some," for before the Baptists would receive him, he had to make confession of wrong-doing to the old North or Mather Church, of which he was a constituent member. After becoming a Baptist, and suffering long and much for his new faith, he finally recanted, and upon confession of his Baptist "errors and iniquity," was restored, in 1683, to his former church.[1] In the Massachusetts Archives, X., p. 224, is a petition of John Farnum, senior, written as early as October, 1668, praying for release from prison, and engaging "to attend the hearing of the word preached in the publike assemblys each Lord's day, sickness or the like not hindering."

We may here state that in April 14, 1668, a short

[1] See Robbins' "History of the Second Church, Boston," p. 291.

time prior to the sentence of banishment, Gould, Farnum, and Osburne were temporarily released from prison in order to hold a "full and free debate" with six leading ministers of the Bay, Messrs. John Allen, of Dedham; Samuel Danforth, of Roxbury; Thomas Cobbett, of Lynn; John Higginson, of Salem; Jonathan Mitchell, of Cambridge; and Thomas Shepard, of Charlestown; which conference lasted two days, and was attended by three brethren from Elder Clarke's church at Newport, William Hiscox, Joseph Tory, and Samuel Hubbard. But the ministers found and left them still "obstinate," for the "erring brethren," as we are told, "as is usual in such cases, made this their last answer to the arguments which had cast them into much confusion, *Say what you will, we will hold our mind.*"[1] In the month following they were summoned "to answer for not retracting after having heard the arguments of the elders," and a censure and further orders were pronounced against them.[2] It would seem,

[1] We hope there is a little more truth in this representation than there was in the malicious, scandalous hoax which was gotten up in England about this time. A pamphlet was published in London, in 1673, entitled, "Mr. Baxter Baptized in Bloud; or, a Sad History of the Unparalleled Cruelty of the Anabaptists of New England; faithfully relating the cruel, barbarous, and bloudy murther of Mr. Josiah Baxter, an Orthodox minister, who was killed by the Anabaptists, and his skin most cruelly flead off from his body. Published by his mournful brother, Benjamin Baxter, living in Fenchurch Street, London." The author represents his brother *as worsting the Anabaptists* in a public disputation at Boston, for which, by way of revenge, they sent four ruffians in visors to his house, who, after they had bound his wife and three children, first whipped and then flead (flayed) him alive. There was a demand in a few weeks for a second edition of this work, which, however, on its being found a hoax, was suppressed before its issue.

[2] See State Archives, X., pp. 215–219.

however, from the statements of these brethren, that the discussion was mainly on one side. They desired liberty to speak, but were told that "they stood there as delinquents, and ought not to have liberty to speak."

In the course of their protracted incarceration, Gould petitioned, in behalf of himself and Turner, to be released from prison (the original of which petition is in the State Archives, X., 220), and the Council in March, 1669, allowed them "liberty for three days, to visit their families, as also to apply themselves to any that are able and orthodox, for their further convincement of their many irregularities," the said Gould and Turner to be returned again to prison at the end of the said three days. Governor Bellingham was not disposed to favor them, but many of the deputies or "lower house" sympathized with them, and even the First Church (from which the church now called the "Old South" or Third Church, had seceded, in 1669, on account of half-way covenant preferences) showed evident signs of relenting. "The town and country," writes Edward Drinker, "is very much troubled at our troubles; and especially the Old Church, in Boston, and their elders, both Mr. Oxenbridge and Mr. Allen have labored abundantly, I think, as if it had been for their best friends in the world." In November, 1668, the Court received a petition in favor of the prisoners from sixty-five persons, many of whom did "neither approve of their judgment or practice." A part of their petition reads as follows:

Whereas, by the censure of this honorable Court, Thomas Gould, William Turner, and John Farnum now lie in prison deprived of their liberty, taken off from their callings, separated

from their wives and children, disabled to govern or to provide for their families, to their great damage and hastening ruin, how innocent soever; beside the hazard of their own lives, being aged and weakly men, and needing that succor a prison will not afford; the sense of this, their personal and family most deplorable and afflicted condition, hath sadly affected the hearts of many sober and serious-minded Christians, and such as neither approve of their judgment or practice; especially considering that the men are reputed godly and of a blameless conversation; and the things for which they seem to suffer seem not to be moral, unquestioned, scandalous evils, but matters of religion and conscience; not in things fundamental, plain, clear, but circumstantial, more dark and doubtful, wherein the saints are wont to differ, and to forbear one another in love, that they be not exposed to sin or to suffer for conscience sake. We therefore most humbly beseech this honored Court, in their Christian mercy and bowels of compassion, to pity and relieve these poor prisoners, etc.

See further in Backus' "History," Vol. I., p. 304, and for the original, which is written in beautiful style, see State Archives, X., 221, where the petitioners' names are given. Many of the signers of the petition were called to account and fined for this action, while several made acknowledgment of their error in thus signing. For their retraction, see p. 223 of the above-mentioned volume.

The imprisoned ones also found sympathizing brethren in distant England. Dr. John Owen (whom the Boston Church called more than once to be their minister—the Court uniting in the call) with twelve other distinguished Independent ministers addressed the governor, urging him "to put an end unto the sufferings and confinements of the persons censured," stating that the procedure "greatly reflects on us," since

"it hath been vogued that persons of our way, principles, and spirit, cannot bear with dissenters from them." In the same year, 1669, Robert Mascall, another English Congregationalist, writes thus to a friend here:

> A sad thing that much affects us is to hear that you, even in New England, persecute your brethren, men sound in the faith, of holy life, and agreeing in worship and discipline with you, only differing in the point of baptism. Dear brethren, we here do love and honor them, hold familiarity with them, and take sweet counsel together. They lie in the bosom of Christ, and therefore they ought to be laid in our bosoms.

Many years after this, in 1719–20, Dr. Watts, in a letter to Cotton Mather, speaks of the persecuting principles and practices of the first planters in this country as forming a "history which now makes us blush and ashamed." Often were the Puritans of this Colony taunted by the Episcopalians, that they were greater persecutors than themselves were ever charged with being. Dr. Stillingfleet, in his "Mischief of Separation," justified their rigorous course against the Congregationalists in England by the procedure of rulers here against dissenters from themselves. And the king's four commissioners who, much to the dislike and disgust of our magistrates, were sent over to this country to overlook the affairs of the Colonies, thus addressed the General Court: "We admire [wonder] that you (whose coming hither was for the enjoyment of the liberty of your consciences) should deny the liberty of conscience to any, especially where the king requires it."[1]

[1] See some account of these commissioners in Appendix D.

From what has been said it will be rightly inferred that the Puritan fathers were far more blamed by their English brethren and by the English authorities for their excessive severity, than for laxness in suppressing heresies and errors; and yet it was in part for the "clearinge" of themselves in the "observant eyes" of different parties in the mother country, that they took so much notice of erroneous opinions and practices. Indeed, many justify the strictness of the Puritans on the ground that every heresy, misdeed, or failure of theirs would be eagerly watched for and rejoiced in by the home church and government, and might finally result in the loss of their charter or in having a general governor sent over to them.

At what time the different persons above mentioned were freed from imprisonment we cannot tell. We know that Edward Drinker was released on May 19, 1669, from prison, whither he had been put for worshiping, on the previous March 7th, with the Baptists at the house of Thomas Gould. He is dismissed with the caution that if he repeat the offense he shall be confined for trial. Elder Gould, who, for not removing himself, was imprisoned in July, 1668, was probably not released till the last part of 1669, or beginning of 1670. Perhaps others were set at liberty about this time on the supposition or hope that they might "remove themselves." Whereupon they betook themselves no farther away than to Noddle's Island. Indeed, this island seems to have been an early home for the Boston Baptists. W. H. Sumner, in his "History of East Boston," says: "For the first ten years this church appears to have held its meetings mostly at

Noddle's Island." Henry Shrimpton, though a member of the Boston church, yet has in his will, dated July 17, 1666 (about a year after the Baptist church was formed), this item: "I give to the Society of Christians that doth now Meet at Noddle's Island, of which is Gold and Osborn and the rest, £10, as a token of my affection." This we deem a very complimentary act both for the giver and the receivers. We may add that Mr. Shrimpton's son, Samuel, who in 1670 became owner of the island, was one of the sixty-five persons who joined in a petition for the release of the imprisoned Baptists. On November 30, 1670, Drinker thus writes: "We keep our meeting at Noddle's Island every first day, and the Lord is adding some souls to us still, and is enlightening some others; the priests are much enraged. The Lord has given us another elder, one John Russell, senior, a gracious, wise, and holy man that lives at Woburn, where we have five brethren near that can meet with him . . . when they cannot come here." In something over a year from this time Russell himself was confined in prison walls, but perhaps was shortly freed on account of ill health. A letter written in the summer of 1672, says: "I perceive you have heard as if our brother Russell had died in prison. Through grace he is yet in the land of the living, and out of prison bonds; but is in a doubtful way as to recovery of his outward health." His petition for permanent release from prison, which is found in Vol. X, 227, of the Archives, thus reads:

To the honoured generall Coart now assembled, your humble petitionour: Whareas I being comited to prison at cambrig by the honoured Coart of Assistance held at boston the 5, 1 mth.,

1672, there to remain untill the generall coart should take furthur order, in which time of my Imprisonment it pleased God to exercise me with great Siknes and lamnes, upon which I was released under bail, for the recovery of my health ; the which God of his marcy hath in some measure restoared, though not yet freed from the remainders of that jlnes sustained by my Imprisonment, and questionable whether ever I shall, my humble request js that your honours would be pleased to take my case Into your serious consideration, and to put an jsue too it, but in case it be not your pleasure to fre me from that sentance my request is that your honours would be pleased to free those men that ware bound for me of there bond ; And I shall remain at your pleasure

your prisonour,

JOHN RUSSELL.

Edward Drinker, already mentioned as suffering because of his association with Gould, in his letter of Nov. 30, 1670, also writes that Turner "has been about a month in prison,"[1] and that "warrants are in two marshals' hands for brother Gould also, but he is not yet taken because he lives on Noddle's Island, and they only wait to take him at town." Gould's warrant as given in Vol. X., 227, of the Archives reads as follows :

To the marshall Guld or his Deputy or marshall of Suffolk : In his majesty's name you are required to apprehend the body of Thomas Gold and Comitt him to prison in Boston, there to

[1] Turner has a manuscript petition (dated October 27, 1670) in the State Archives, in which he prays to be released from prison, and states that he has already "suffered *above thirty Weekes* imprisonment" [at different times?], and he fears that the weakness of his body and the extremity of living in prison in a cold winter will prove the ruin of his health and of his headless family. In closing he expresses his readiness, if released, to serve his country to the utmost of his ability. This purpose he afterward nobly fulfilled, even to the laying down of his life.

remajne according to the sentence of the Generall Court April 29, 1668, and in so doing this shall be your warrant, dated 25, 8, 1670.

Signed by

SYMON BRADSTREET,
DANIELL GOOKIN,
and three other magistrates.

EDW. RAWSON, Secty.

Why the authorities neglected to cross the channel to take Elder Gould is something of a mystery. The Court's authority certainly extended over the island, and it was exercised at times and in a notable manner, as in the case of Samuel Maverick. He was a strenuous Episcopalian, and was, moreover, very hospitable, "giving entertainments to all comers gratis." The Court, fearing there might be among his guests too many persons of heretical tendency, put a stop to his generosity, forbidding him to entertain strangers longer than one night, without leave from some assistant, on penalty of one hundred pounds. I think the authorities had been so long and often troubled with Elder Gould, who had been called up before the Church or the Court at least a dozen different times, that they were half willing for a time to leave him alone, provided he would keep away from them even at a little distance. Mr. Drinker further adds in his letter that "Brother Turner's family is very weakly and himself too. I fear he will not trouble them long; only this is our comfort, we hear if he dies in prison they say they will bury him." Another writer in the last part of 1671, says: "Brother Turner has been near to death, but through mercy is revived, and so has our pastor Gould." Messrs. Gould and Turner we find at

Noddle's Island, Sept. 1, 1672, at which time they date a joint letter to Samuel Hubbard, a Seventh Day Baptist, at Newport. And on Jan. 9, 1674, another letter states that "Brother Drinker hath been very sick, near unto death, but the Lord hath restored him to health again. The church of the baptized do peaceably enjoy their liberty. Brother Russell, the elder and the younger, have good remembrance of you." This "gracious, wise, and holy man," Elder Russell, lived till near the close of 1680, the beloved pastor of the Boston church,—though living with them only about a year at the close of his life,—and a workman of whom none need be ashamed.

The Baptists of that day were often accused, as by Increase and Cotton Mather, of the sin of Jeroboam, who "made priests of the lowest of the people," and Samuel Willard, in his "Ne Sutor," etc., plainly said: "Truly, if Goodman Russell was a fit man for a minister, we have but fooled ourselves in building colledges, and instructing children in learning." Elder Russell had then gone where he could not hear these words, but in his "Brief Narrative of Some Considerable Passages concerning the First Gathering and Further Progress of a Church of Christ, in Gospel Order in Boston in New England, commonly (though falsely) called by the name of Anabaptists," he replies to the like taunt from Dr. Increase Mather, in these words:

> It is not because we are against learning, for we esteem it and honor it in its place; and if we had such among us who were, together with that, otherways duly qualified for the work of the ministry, we should readily choose them. But we do not think the Spirit of God is locked up so in the narrow limits of college

learning that none are to be called to office in a church but such, nor that all such are fit for that work, be they never so great scholars; neither do we think that all those who have not that learning are to be accounted "the lowest of the people."

We give a few sentences further from the "Fallacious Narrative" or "Satyrical Invective" of this "wedderdop'd shoemaker," in evidence of his large and liberal views. "Far be it from us to judge all that are not baptized not to be visible saints, for we judge that the Lord hath many precious people in the world that are not baptized according to, or in the manner, we baptize. . . And as for not owning their churches, . . we never denied them to be churches of Christ. It is enough for every one to prove his own work; but we have owned them as such, for where there is true matter joined together in the bond of a holy covenant, they may be looked at as a true church, though not in due order." Yet the historian Hubbard says: "He did stitch up a small pamphlet," in which "he made such botching work," etc.

Prof. A. H. Newman mentions in his "History," p. 112, an interesting circumstance, if true, that John Cook (or Cooke), who came over "as a boy among the passengers of the Mayflower, and who had been a Congregational minister in the Plymouth Colony . . . was converted to Baptist views before 1680, by reading the 'Narrative of Elder Russell.'" This "Narrative," however, was not published until 1680, and hence the alleged reading must have been subsequent to this date. According to Thatcher's "History of Plymouth," John Cook was chosen deacon of the Pilgrim church about 1630, and "was subsequently excommunicated for occa-

sioning many dissensions." Mr. Felt says that "John Cook, who appears to have been an Anabaptist, caused great divisions in the Barnstable church," about 1654. And Backus states that he "was a Baptist minister at Dartmouth many years." And yet we learn from the Plymouth laws that in 1659, (another?) John Cooke, of Plymouth, with Isaac Robinson, and two others, was permitted to attend for a time the meetings of the Quakers, "to endeavor to reduce them from the error of theire wayes." According to Prof. Newman, Mr. Cooke was "among the more noted members of the church [in Newport] during the latter part of the century, . . and was still living in 1694." It has also been stated that he died at Dartmouth. I am not able to reconcile all these differing statements.

Mr. Turner's subsequent history deserves at least brief mention, inasmuch as he became eminently useful in the service of his country. Though at first denied a commission because he was an Anabaptist, yet he afterward served as commander in King Philip's war—his fellow-sufferer, Edward Drinker, also serving as lieutenant—and was finally slain by the Indians. Under his command, "as an instrument in the hand of the Lord, was the greatest blow struck to the Indians of any they had received; for after this they were broken and scattered so that they were overcome and subdued with ease." Under the date of May 19, 1676, Mr. Felt has this record: "In the fall fight on Connecticut River, wherein the enemy lost three hundred men, women, and children, and which was among the causes of their overthrow, Captain William Turner, with thirty-eight of his men, were slain. He was too

unwell to engage in battle, but he felt constrained to lead his soldiers by the great prospect of success." Well did he earn the title of the "brave and resolute Captain Turner." "Turner's Falls," in the river between Gill and Montague, commemorates his name and valor.

Though we left the baptized church in Noddle's Island flourishing under Pastor Gould's care since 1669, and peaceably enjoying their liberty under the tolerant reign of Governor Leverett, yet they have not wholly done with the "coercive power of a godly magistracy." "It is hoped," said Thomas Shepard, of Charlestown, in an election sermon, 1672, "that this coercive power of a godly magistracy, which we have experienced the benefit of so many ways, being duly managed, shall not be abandoned, nor therefore a repealing of any wholesome law about religion for the defense and maintaining the gospel among us, or that liberty shall be proclaimed to men of any religion to come and set up shop or schools of seduction among us. To tolerate all things and to tolerate nothing (it's an old and true maxim), both are intolerable." It seems a great pity that the Puritan fathers could not have found a *media via* between unbounded toleration and what Roger Williams speaks of as "a consuming overzealous fire of the (so-called) godly Christian magistrates." Jeremy Taylor's caution would in those days have been exceedingly timely: "Only let not men be hasty in calling every disliked opinion by the name of heresy; and when they have resolved that they will call it so, let them use the erring person like a brother; not beat him like a dog, or convince him with a gibbet, or vex

him out of his understanding and persuasion." The Cambridge platform of 1648 provides that, "If any church, one or more, shall grow schismatical, rending itself from the communion of other churches, or shall walk incorrigibly or obstinately in any corrupt way of their own, contrary to the rule of the word; in such case the magistrate is to put forth his coercive power, as the matter shall require." And this power was again to be put forth against the church of the Baptists. In 1674 (the year of Elder Gould's death, according to Mr. Felt, who makes reference to the Suffolk Probate Records, or the year before his death, according to Backus, who puts it at October 27, 1675) the members of the little church ventured to recross the channel and resume worship in town. The diary of Captain John Hull, father-in-law of Judge Samuel Sewall, has this record: "This summer [1674] the Anabaptists that were wont to meet at Noddle's Island, met at Boston, on the Lord's day. One Mr. Symon Lind [or Lynde], letteth one of them a house."[1] The next year, on June 15, the Middlesex Court fined Thomas Foster, John Russell, senior, John Russell, junior, Benanuel Bowers,[2] Thomas Osburne, and John Johnson, from one

[1] This Mr. Lynde, and Mr. Samuel Shrimpton, who, as we have seen, also befriended the oppressed Baptists, were afterward appointed counsellors of New England by royal authority.

[2] A petition of Elizabeth Bowers, written May 28, 1674, is preserved in Vol. X., p. 232, of the Archives. She complains that her husband has now been "kept prisoner neare upon three months," and that in consequence of taking him from his family and his business, "much pains and cares lies uppon me, having small children about me and sucking the brests, and my body weak. I desire you to consider of my condition, and how hard a thing it would be to any of your wives if they were in my condition." Her closing words are: "I remaine a sufferer." She her-

to five pounds each and costs for neglect of allowed public worship on Fast, Thanksgiving, and Sabbath days. And again, on December 19, John Russell, John Wilson, senior, and Caleb Farlow, are fined as Baptists for the same offense, while several persons are admonished and ordered to pay costs for a similar charge. On May 30, 1677, the council warned Elder John Myles, of Swansea, not to preach any more to the Baptists in Boston. Swansea, as also Rehoboth, was thoroughly desolated during King Philip's war, and it was about this time that Elder Myles retired to Boston, while most of the inhabitants fled to Rhode Island. In Vol. X., p. 233, of the State Archives, the action of the Council is thus recorded:

Mr. Miles being called before ye Councill to give an acc't of his preaching to the assembly of Annabaptists, whereof Gold and Farnum, and sundry others excommunicate persons were of the number, the said Miles confessed yt he being driven from his own place and people at Swanzy by the rage of ye Indians, and coming to Boston had accepted the call of sd society to preach among ym, but declared the purpose to return to his owne place as soon as he could be provided of a habitation; the Councill haveing given him free liberty fully to express himself, read unto him some of the laws of this colony, . . and desired him to take notice yt they did now declare their own dissatisfaction with him, he being by his own confession convicted of being an offender against the said laws,

self was afterward imprisoned and whipped; while he, for defaming a government official, was beaten twenty stripes. And for the like offense, both of them at a later date, were sentenced to a fine of five pounds each, or be whipped openly fifteen stripes apiece. Even their daughter, Elizabeth, could not escape without a flagellation. This unfortunate family, though associated with the Baptists, seem to have sympathized at first somewhat with the Quakers.

In 1678 "Mr. John Allen and John Brown [of Swanzey] were chosen to draw up a letter in behalf of the church and town, to be sent to Mr. John Myles, pastor of the church and minister of the town, manifesting our desires of his return to us" It was voted to pay him sixty pounds yearly, "and whereas Mr. John Myles desires to be accommodated with a servant, horses and cart, and other conveniences for his comfortable subsistence, the town doth promise to give to the said Myles the sum of four pounds in money," etc.[1] Mr. Baylies speaks of him as "a man of learning and of elevated views." His son, John Myles, the first town-clerk of Swanzey, went back to England, and another son, Samuel Myles, became, in 1689, the second rector of the Episcopal (afterward, in 1787, Unitarian) "King's Chapel," in Boston. It is somewhat singular that the "town" should take action, as above, in regard to Mr. Myles, and also in regard to his successor, Elder Samuel Luther. There was evidently here, even on Baptist ground, some commingling of Church and State. Mr. Myles at this time would appear to have been quite tolerant toward Pedobaptist practices.[2] This is "a result of his training in connection with the State-Church system of the Commonwealth and the Protectorate" in England.[3]

In May, 1679, the Court forbade the erection of meeting-houses without permit, and also prohibited their occupancy, without leave, when built. Fortunately just before this prohibitory building law was

[1] See Baylies' "History of New Plymouth," II., 94.

[2] See Backus' "History," I., 286.

[3] Prof. Newman's "History of the Baptist Churches," p. 170.

passed, the Boston Baptists had with great caution built for themselves a house of worship on what is now called Stillman Street, and near the then mill pond, which served as a baptistery. After occupying their house for a time, a warrant was issued "in his Majesty's name, forthwith to summon Philip Squire, Thomas Skinner, and Mr. Drinker, to make their appearance [March 5, 1680] before the Court of Assistants now sitting, having liberty to bring with them three or four more of their friends, to give an account of their breach of law in erecting a meeting-house." The third day after this, Messrs. Hull, Russell, Drinker, and Skinner, in their response to the Court whether they would desist from meeting in their house of worship, said that they had no thought of affronting authority in building the house as there was then no law against it, and that after such a law was made they desisted from worshiping therein for a while, until they understood it was his Majesty's pleasure that they should enjoy the liberty of their meeting. At the close of their address they make humble request that they may find acceptance with the Court, and so be permitted to "enjoy the liberty of God's worship in such places as God hath afforded us." The Court's response to this was that on March 8, 1680, their meeting-house was ordered to be closed, and the following notice was nailed on the door:

All persons are to take notice that by order of the Court the doors of this house are shut up, and that they are inhibited to hold any meeting therein, or to open the doors thereof without license from authority till the Court take further order, as they will answer the contrary at their peril.

In Punchard's "History of Congregationalism" the following is given as the original form:

All p'sons are to take notice yt by orde of ye Court ye doors of this house are Shutt vp, & yt they are Inhibitted to hold any meeting therein or to open ye doors thereof, without lishence from Authority till ye gennerall Court take further order, as they will answer ye Company [?] att theire P'ill, dated in boston 8th March 1680.

by orde of ye Councell
EDWARD RANSON [RAWSON] *Secretary.*

A manuscript account found among the Backus papers (probably taken from the Church Records) gives the following item of the church's experience at this time:

After they nailed up our doors we were exposed to meet abroad in ye open air;[1] but having meet one day without in ye yard, it being an exceeding Cold winday day (but not any one took any harm thereby as we know of) we did the next week procure Some boards and made up a Shelter in ye yard by the House side for to meet the next Lord's Day and so on; but when the next Lord's day came, in the morning the doors were opened we knew not by whom.

Perhaps the Court did not care to venture for too long a time openly to disregard the mandate of the king, requiring:

That freedom and liberty of conscience be given to such per-

[1] Mr. Willard, in his "Ne Sutor," &c., or "Brif Animadversions upon the New England Anabaptists late Fallacious Narrative wherein the Notorious Mistakes and Falsehoods by them Published are Detected," says: "They sullenly meet in the open Air on a cold day, though a large house and their usual place of meeting stood just by." But then these persons, as teacher Willard said of Gold and Osborn, were "heady and violent men."

sons as desire to serve God in the way of the Church of England, so as not thereby be made obnoxious or discountenanced from their sharing in the government, much less that they or any other of his Majesty's subjects (not being Papists) who do not agree in the Congregational way, be by law subjected to fines or forfeitures, or other incapacities.

As Elders Russell, Hull, and others said, the king's wish is that "we (Baptists) should enjoy liberty of our meetings in the manner as other of his protestant subjects." This royal order reached here near the end of December, 1679. Yet on May 11, 1680, the Court having been "informed that there is a publicke meeting-house erected in Boston where some doe ordinarily meete contrary to the law of May, 1679," summoned again the leaders of the church, who "appeared before the Court at the time, and, after their defence made, withdrew, sent in their humble peticon humbly desiring the Court's favour," &c. Whereupon the Court on May 19 "granted them their petition so farr as to forgive them their offence past, but still prohibited them as a Society of themselves, or joyned with others, to meete in that publicke place they have built, or any other publicke house, except such as are allowed by lawfull authoritje."

Little did the authorities of that time dream that in a hundred years less one from that date, a pastor of this same Baptist church (Dr. Stillman) would be chosen to preach the sermon on election day,[1] and that

[1] "A Sermon to the Honorable Council, &c., May 26, 1779, by Samuel Stillman, A. M., Render to Cæsar the things that are Cæsar's and to God the things that are God's, Mark 12 : 17." Backus informs us that 78 out of 86 voted for Mr. Stillman as preacher, and that the sermon was printed and sent throughout the State by order of authority.

in about three-fourths of a century after this, Jan. 8, 1852, another pastor (Dr. Neale) would likewise discourse before the magistracy of the commonwealth, taking as his subject: "RELIGIOUS LIBERTY, derived directly from the King of heaven; not regarded as a matter of toleration but a heaven-descended and inalienable right."

But better days were soon in store for this church, for in March, 1682, the Court —with some stretching of the truth, we think— informed the king that "as for the Anabaptists, they are now subject to no other penal statutes than those of the Congregational way." I think for myself that it still fared hard with those who persistently refused to walk in this "Congregational way." In this same year of grace the following oppressive act was passed against William Screven, whom a few Baptists in Kittery, Me., desired to be ordained as their pastor by the aid of their brethren in Boston:

> The Court having considered the offensive speeches of William Screven, viz., his rash and inconsiderate words tending to blasphemy, do adjudge the delinquent, for his offence, to pay ten pounds into the treasury of the county or province. And further, the Court doth forbid and discharge the said Screven, under any pretence, to keep any private exercise at his own house or elsewhere, upon the Lord's days, either in Kittery or other place within the limits of this province, and is for the future enjoined to observe the public worship of God in our public assemblies upon the Lord's days, according to the laws here established in this province, upon such penalties as the law requires upon such neglect of the premises.[1]

[1] For Mr. Screven's further experiences in Maine, see Dr. Burrage's "Baptists in New England," and Prof. Newman's "History of the Baptist Churches in the United States." Mr. Screven afterward became

As another sign of seemingly better times, we notice that a Synod's Confession of Faith, published in 1680, after speaking of what may be lawfully called to account and proceeded against by the censures of the church and by the power of the civil magistrate, then adds: "Yet in such differences about the doctrines of the gospel or ways of the worship of God, as may befal men exercising a good conscience, manifesting it in their conversation, and holding the foundation, and duly observing the rules of peace and order—there is no warrant for the magistrate to abridge them of their liberty." We are thankful for this encouraging word. And yet, at the first session of this so-called "Reforming Synod," in 1679, among the thirteen specified "evils that have provoked the Lord to bring his judgment on New England," this is mentioned as one, a remissness in testifying against Quakers and Baptists! I think it must be something over a century

the founder and first pastor of the church in Charleston, S. C., which place he was strongly but vainly urged to leave by the Boston church, that he might become its pastor. He was a native of England, but was licensed by the church in Boston. The Baptist cause in the South is somewhat indebted to Boston for two other efficient laborers, Shubal Stearns, who was born in Boston, 1706, and Peter P. Roots, A. M., who joined the Boston church in 1792. For some account of their labors, see Catheart's "Encyclopædia" and Backus' "History," II., 420. Mr. Stearns, like Backus, was first a Separatist and then a Baptist, and both gentlemen became such about the same time. Most wonderful stories are told of the enchantments of his eyes and voice. He and his brother-in-law, Daniel Marshall, of Connecticut, were remarkably successful in establishing Baptist churches in the South. Samuel Harris who was baptized by Marshall, was another most efficient Baptist leader. In Southern Baptist history, Stearns, Marshall, and Harris may be reckoned to have attained unto "the first three."

after the above gracious utterances were made, that the Baptists outside of Boston heard much about this leniency of the Puritan Court and Church. As late as 1784 three men, members of a Baptist church in Cambridge (Arlington), were imprisoned for non-payment of ministerial rates. Their case was carried through the Courts in 1785, and was turned against the Baptists,—by the ambiguity of the word *he* in the Constitution, —[1] which cost them more than a hundred dollars.[2] The Warren Association, the next year

Resolved, That as our denomination in this Commonwealth have been long oppressed by the Congregationalists who have claimed the power of supporting religious ministers by tax and compulsion; and as in consequence of this, our brethren in Cambridge, besides their time and trouble, haue lately been at the expense of thirty-three pounds, fifteen shillings, we earnestly recommend that each church in this Association raise a proportion of that sum as soon as may be, and forward the same to Mr. Isaac Skillman, of Boston, or to Mr. Thomas Green, of Cambridge, for the relief of the sufferers.

The Baptist church in Boston did, from the last years of the seventeenth century, certainly enjoy thenceforth a special degree of liberty, and all that Isaac Backus, the "Agent of Liberty," a hundred years later asked for the churches throughout the State was that they might have the same liberty which their Baptist brethren enjoyed in Boston.

[1] "He" was construed to mean the teacher who was to receive the money, and not the man who paid it, and so the Baptist "committee concluded that our ministers should demand it again; all but myself, who could not concur therewith. Our Elders Stillman, Skillman, Smith, and Blood, all thus differed from me" (Backus).

[2] Backus' "History," II., 328–9.

When these better times had arrived for the Boston Baptists, most of the founders of the church had passed away, leaving others to enjoy the fruits of their labors and sufferings. "Their trouble and temptations," wrote Elder Russell, in 1680, "followed one upon the neck of another, like the waves of the sea; but these precious servants of the Lord, having in some good measure counted the cost beforehand, were not moved from [by] any of these things, but were cheerfully carried on by the hand of the Lord upon them through the afflictions and reproaches they met with, and are most of them now at rest with the Lord." Gould, the first pastor, died in 1674 (or 1675); Turner, in 1676; Russell himself, in 1680; Dr. Clarke, of Newport, 1676; Holmes, his successor, 1682; Myles, of Swanzey, in 1683; and Roger Williams, in 1684. These all died in faith, not having received the promise.

It was not till 1728 that the first measure was passed whereby Baptists and Quakers could be partially relieved from paying rates or taxes to Pedobaptist ministers and churches. But this law merely exempted their polls from taxation, and this too under the proviso "that such persons do usually attend the meetings of their respective societies, assembling upon the Lord's Day for the worship of God, and that they live within five miles of the place of such meeting." "Here we may see," said Backus, "that tyranny is always the same. 'Go ye, serve the Lord; only let your flocks and your herds be stayed,' said Pharaoh. Let their bodies be exempted, but their estates and faculties be taxed, said the Massachusetts. 'I will let you go that ye may sacrifice to the Lord your God in the wilder-

ness; only you shall not go very far away,' said Pharaoh. Go but five miles, said the Massachusetts." Other exemption laws—which will be noticed by-and-by—were subsequently enacted, but these, hampered with many restrictions, were very oppressive, and if the unsympathizing authorities neglected their duty, or even violated these laws, no penalty was affixed to this neglect or transgression.

One other and truly marvelous occurrence in the early history of the First Baptist Church in Boston may here be noticed. On May 21, 1718, Mr. Elisha Callender, the first classically educated Baptist minister in this country, was ordained its pastor by the help of three Congregational ministers of Boston—a proceeding which called forth some remonstrance from a few Baptist churches. The names of these three were Dr. Increase Mather, who in his writings had affirmed that "Antipedobaptism is a blasted error"; Dr. Cotton Mather, the greatest scholar and most prolific writer of the age; and Mr. John Webb, the first pastor of the New North Church. Dr. Increase Mather gave the hand of fellowship. His son, Dr. Cotton Mather, preached from the text, Romans 15 : 7, "Receive ye one another, as Christ also received us, to the glory of God," the running title of the sermon being: "Good men united."[1] In it he says: "If the brethren in whose

[1] The full title-page of the sermon, as printed, reads thus:

"BRETHREN DWELLING TOGETHER IN UNITY.

The true Basis for an Union among the people of God offered and asserted; in a Sermon preached at the Ordination of a pastor in the Church of the Baptists at Boston in New England

by Cotton Mather, D. D."

house we are now convened met with anything too unbrotherly (in former times), they now with satisfaction hear us expressing our dislike of everything that has looked like persecution in the days that have passed over us." This surprising comity shown to Mr. Callender, the young graduate of Harvard College,—of which Dr. Increase Mather had been president,—was the principal means which moved Thomas Hollis, Esq., a merchant prince and Baptist of London, to become, as Cotton Mather expressed it, "the greatest benefactor it ever had in the world." Little did that "godly Calvinist," Thomas Hollis, dream that the theology of Unitarianism would ever be taught from that chair, the incumbent of which, by express stipulation, was to be a man "of sound and orthodox principles." Dr. Edward Wigglesworth, the first Hollis Professor of Divinity, in his testimonial to Mr. Hollis, speaks of it as "no mean stroke in his character," that in the directions of his bequests "he hath from first to last, taken the utmost care to put it, as far as was possible, out of our power to misimprove them, or in any measure to defeat his pious intentions." In Vol. IV., of Crosby's "History of the English Baptists," are found other testimonials to his character and worth, by Isaac Greenwood, Hollis Professor of Philosophy and Mathematics; by Benjamin Wadsworth, president of the college; and by Rev. Benjamin Colman, of the Brattle

Cotton Mather was colleague with his father in the Old North Church (founded 1650), the church of which Henry Ware, Junior, and Ralph Waldo Emerson were afterward pastors. Notwithstanding the "remonstrance" before referred to, the church invited Congregational ministers to assist in ordaining Mr. Jeremiah Condy, the successor of Mr. Callender.

Street Church, who was Mr. Hollis' principal correspondent in this country, and who pronounced his eulogy at a lecture in Boston, April 1, 1731, before the authorities of Massachusetts. His father, Thomas Hollis, and his brother, John Hollis, were alike distinguished for their liberal benefactions.

Before leaving the Bay Colony we would make mention of an important Synod of the elders and messengers of the churches, held in 1662, by order of the Court, to consider two questions, the first of which was: "Who are the subjects of baptisme?"—a theological question which, with its related theme of infant church-membership, was agitated and discussed by the Puritan churches oftener, I think, than any other during their entire history. At this Synod the so-called half-way covenant—by a vote of sixty against less than ten—was adopted, by which persons baptized in infancy, and upright in life, became, on "owning the covenant," not communicants, indeed, but *quasi* church-members, and as such were allowed to have their children baptized. From this position it was but a short and easy step for Solomon Stoddard, of Northampton, to take when he maintained that such half-way church-members had "the right of visible saints to the Lord's Supper, though they be destitute of a saving work of God's Spirit on their hearts," and that for such persons "the Lord's Supper is a converting ordinance." Very naturally it came to pass that persons would connect themselves in this half-way manner with the church for the sake of the honors and privileges of church-membership. In defense of this half-way covenant scheme Mr. Mitchell, of Cambridge, says: "We make account

that if we keep baptism within the non-excommunicable, and the Lord's Supper within the compass of those that have (unto charity) somewhat of the power of godliness or grace in exercise, we shall be near about the right *middle way* of church reformation." This same view, which was first suggested and favored by the Connecticut colonists, was virtually adopted by a smaller Synod held by "order" of the Court in 1657, the result of which was published about two years afterward, entitled, "A Disputation concerning church-members and their children, in answer to twenty-one questions," which questions, with their answers, may be seen in Hubbard's "History," pp. 563-569, or Felt's "Ecclesiastical History," II., 154. Nearly all these questions related to two points: What children are to be baptized? and, What relation do they, when baptized, sustain to the church? I scarcely need say that the Synods did not effectually settle all these controverted questions.

NOTE.—This half-way covenant scheme, with its half-way church-membership of adults (which was adopted with much consideration and prayer, as the best preservative of true religion and orthodoxy), and the parish system (without which a Congregational church, though boasting of its authority and independence, was held in aftertimes, by a decision of Chief Justice Isaac Parker, to have no legal existence), are without doubt the two most potent causes of the great defection to Unitarianism in the first quarter of this century, by which over eighty of the present evangelical churches of Massachusetts were constrained to separate from the religious societies with which they had been connected, of which number forty-six churches, with a majority of its members, were "driven from their houses of worship by town or parish votes." The whole membership of eighty-one churches, as stated by Dr. Joseph S. Clark, was five thousand

one hundred and eighty two, of which number only one thousand two hundred and eighty-two were left to the parishes after the separation. In some instances, only two or three church-members remained with the parish, yet the exiled churches were obliged to relinquish their meeting-houses, their records, their communion service, and their funds, which were sacredly given to support a learned, able, and orthodox ministry. If not a single church-member remained to a parish, still such exiled church, as to all civil purposes, would be regarded as legally non-existent, while the deserted parish could institute a new church in its stead. Dr. Clark estimates that in consequence of this defection "one hundred and twenty-six places of worship, with their appurtenances of parish and church funds, were lost to the cause of evangelical religion." Such is one of the bitter fruits of the Church-and-State system of our fathers. The above decision, even if legally correct and authoritative (of which there are the gravest doubts), is to my mind a monstrous injustice, and I envy not the position of those ministers who are supported in whole or in part by such wrested orthodox church funds. Indeed, I know not why, by moral right or the "law of equity," those funds should not now be restored to the churches which have been thus legally robbed, or, where this is impracticable, then to any of the seven great societies which orthodox Congregationalists have formed for the spread of evangelical truth. This famous Dedham case, "Baker *vs.* Fales," 1820, is fully reported in Vol. XVI. of the Massachusetts Reports, and is well summarized in Dr. McKenzie's "First Church of Cambridge," pp. 272–284. See also the first and second volumes of the "Spirit of the Pilgrims."

PART II

THE PILGRIMS

RELATION TO THE ANABAPTISTS AND QUAKERS

We veryly beleeve and trust ye Lord is with us, unto whom and whose service we have given ourselves in many trialls; and that he will graciously prosper our indeavours according to ye simplicitie of our harts therein.—*Robinson and Brewster to Edwin Sandys, of the Virginia Company, 1617.*

So they lefte yt goodly and pleasante citie [Leyden], which had been ther resting place near 12 years; but they knew they were Pilgrims, and looked not much on those things, but lift up their eyes to ye heavens, their dearest countrie, and quieted their spirits.—*Bradford's Hist. Plym. Plant., p. 58.*

Turning now to the "Colony of New Plymouth," let us consider how the Anabaptists and Quakers were treated by the Pilgrims. Before investigating these points, we would learn something of the spirit and purpose of our Pilgrim fathers which, in great part, were quite similar to those of the Puritans. In order to this, let us take an excursion first to Clark's Island, in Plymouth harbor, where they spent their first Sunday on New England soil, and there read on Pulpit Rock the engraven words: "On the Sabboth day wee rested"; thence to the Pilgrim Monument, where stands the colossal statue of Faith with her extended right arm pointing upward, and her left hand clasping the Bible at her side; and finally, up the steep "Burial

Hill," that there we may read on its most conspicuous monument the words taken from the "Epistle Dedicatory," or Introduction of Robert Cushman's sermon (preached from 1 Cor. 10 : 24, on December 9, 1621), on "The Sin and Danger of Self-Love" :

> And you, my loving friends, the adventurers to this Plantation, as your care has been first to settle religion here before either profit or popularity, so I pray you, go on. . . I rejoice . . . that you thus honor God with your riches, and I trust you shall be repayed again double and treble in this world, yea, and the memory of this action shall never die.[1]

Little did they dream that the Sunday excursion trains—now, indeed, prohibited by the railroad commissioners—would ever be run well-nigh over the spot where they should be laid to rest.

The purpose by which the Pilgrims were animated is also very plainly expressed by themselves in the opening sentence of the compact signed in the cabin of the Mayflower.

> Having undertaken, for the glory of God and the advancement of the Christian faith and the honour of our King and Countrie, a voyage to plant the first Colonie in the northerne parts of Virginia, doe by these presents solemnly and mutually, in the presence of God and of one another, covenant and combine

[1] This sermon, which was first printed in 1622, and has since been frequently published in pamphlet form, is given in part in Young's "Chronicles of the Pilgrims." The author, whose son Thomas was an elder in the Plymouth Church many years, was neither a minister nor an elder, yet he gives ministers (perhaps of our day) very good advice. He says in his introduction : "If any shall think it too rude and unlearned for this curious age, let them know that to paint out the gospel in plain and flat English, amongst a company of plain Englishmen (as we are), is the best and most profitable preaching."

ourselves together into a cvill body polictick for our better ordering and preservation and furtherance of the ends aforesaid, etc.

Also in the "General Fundamentals" prefixed to the laws of New Plymouth, 1672, are these words:

The great and known end of the first comers was that . . . they might, with the liberty of a good conscience, enjoy the pure Scriptural Worship of God without the mixture of human inventions; and that their children after them might walke in the Holy wayes of the Lord.

The government of Plymouth Colony, like that of Massachusetts, was theocratic, the Court, in the spirit and after the "patterne of God's Ancient Lawe," and as God's representative, taking like care both of church and commonwealth. As a matter of fact, those who held government office were, though by an unwritten law, required to be church-members who had taken the freeman's oath. It is, however, commonly maintained, and I suppose it must be true, that Captain Miles Standish, who held high offices in the government, was never a church-member. And yet I find it hard to believe this.[1] I think, moreover, that all Plym-

[1] Standish, according to report, used at times a pretty strong vernacular, and was a man of somewhat rash and fiery disposition, or, as John Robinson expressed it, "of warm temper." But Morton, the secretary of the Court, and his contemporary for many years, says that he "fell asleep in the Lord" A threnodist also of that time bewails,

> The faithful Standish, freed from horrid pain,
> To be with Christ, in truth, the greatest gain.

The chronologist, Prince, also speaks of him in the same strain. It is stated that of his books, some forty in number, nearly twenty were devotional or religious. He appears to have been a regular attendant on public worship. While residing in Duxbury, he and three others of the more noted Pilgrims, in 1632, "promise to remove their families to live in the

outh County historians, without any exception, hold that in Plymouth, as in the other colonies (that of Connecticut excepted), "church-membership was an indispensable qualification for freemen." In 1654, the Court at Plymouth, appointing Thomas Prince to administer government at Kennebec River, excused him from requiring them to conform with the peculiarities of the present Colony, such (according to Mr. Felt's view) as the demand for them to be church-members before they could vote for the legislature or be elected to this body—the Court's "intention being not to expect theire strict observance of euerything peculiaire to ourselves," so that those who "haue taken the oath of fidelitie shall acte as if they were actually freemen." In 1665 King Charles' four commissioners proposed to the Court of Plymouth that "All men of competent estates and ciuell conversations, though of different judgments, may be admitted to be freemen and have libertie to choose and bee chosen officers both ciuell and milletary." Four years after this the Court enacted "that none shall vôate in Town meetings but ffreemen or ffrecholders of twenty pounds rateable

town (Plymouth) in the winter time, that they may the better repair to the worship of God." In his will he bequeathes "three pounds to Marcye Robinson, whom I tenderly love for her grandfather's [John Robinson] sacke." He makes his "loving friends, Mr. Timothy Hatherly and Capt. James Cudworth, supervissors of this Will, and that they will be pleased to doe the office of Christian love to be healpful to my poor wife and children by their Christian counselt and advise (whom), though neither they nor I shall be able to recompenc, I doe not doubt but the Lord will."

Of course, the case of Standish, for peculiar reasons, may have been exceptional. And, as I should judge, nearly all the writers who have expressed an opinion on this matter, either deny his church-membership or doubt whether he was ever "under covenant."

estate and of good conversation, having taken the oath of fidelitie."

It should be stated that the Court in its response to the commissioners averred that it had been its "constant practice to admit men [it omits the important word 'all'] of competent estates and ciuell conversation, though of different judgments, yett being otherwise orthodox, to bee freemen," etc. And there is reason for believing that the Pilgrims, while demanding a religious character and orthodox principles in their candidates, were not so strict as the Puritans in requiring the condition of freemen as a qualification for holding town offices, or voting for members of the General Court. In Scituate, which was formerly much the most populous town in Plymouth Colony, only thirty-eight persons were enrolled as "freemen" during the first sixteen years, while a much larger number, though they might have been church-members, only took the "oath of fidelitie," and were thus, as a matter of fact, if not of law, debarred from office in the colonial government. William Vassall, of that place, one of the wealthiest and most eminent men of that time, though he was a church-member and had taken the oath of fidelity,—but who was suspected of "leaning to the Bishops,"—was never promoted to government office in Plymouth Colony. Dr. A. E. Dunning, in his "Congregationalists in America," p. 143, states that "In the Plymouth Colony, although the ecclesiastical test was not applied, the restrictions were so great that out of three thousand persons [in 1643 ?] only two hundred and thirty had the right to vote." Thus all church-members were not freemen, but certainly, as a general

rule, all freemen were church-members, and only freemen could be members of the General Court.[1]

It has been frequently asserted that the Pilgrims are not chargeable with persecuting, or, at least, that they never persecuted the Baptists. We readily concede that those whom we may specifically term the PILGRIM FATHERS, or the first generation of Pilgrims, were not guilty of persecution. Not until after the long reign of Governor Bradford was ended by his death in 1657, or thirty-seven years after "the landing," do we discover any trace of persecution.[2] Nor do we after this discover any sign of persecution either of Baptists or Quakers on the part of the Pilgrim descendants until they were incited thereto by the Puritans of Massachusetts Bay, some of whom, in the words of General James Cudworth, to whom reference may be again made, sought to put the "Plymouth saddle on the *Bay* horse" for a persecuting crusade. The term Anabaptists nowhere occurs in the Plymouth Court Records from 1633 to 1692, inclusive. Nor is there found any

[1] See Baylies' "Memoir of Plymouth Colony," Part I., 29, 298, and Felt's "Ecclesiastical History of New England," II., 237.

[2] It would seem that this good man was taken away from the evil or trouble soon to come, and yet at a time when he could hardly be spared. For in this same year, as Secretary Morton writes, "there arrived in the Colony many of that pernicious sect called Quakers, whose opinions are a composition of many errors, and whose practices tend greatly to the disturbance both of Church and State." And there were others also, "pretending a great zeal for liberty of conscience, but endeavouring to introduce such a liberty of will as would have proved prejudicial if not destructive to civil and church societies." It would appear that the law passed as early as 1637, forbidding any individual to live in the Colony without the consent of the governor or two of the Assistants, failed to keep these and other unwelcome intruders from gaining a temporary residence.

law in all that time which applies specifically to Anabaptists. The only law which could bear somewhat heavily against them and other dissenters from the standing order is that which was passed in 1650, as we shall presently notice, and substantially repeated the next year with an added penalty.

There is abundant evidence that the Pilgrims were incited to a course of intolerance by interested outsiders. As early as 1642 Governor Bellingham wrote to the Plymouth governor, urging the latter to "consider and advise with us how we may avoid" those who are "secretly sowing the seed of familism and anabaptism."

Four years later, in 1646, the confederate commissioners urged each

> General Corte within these United Colonies that as they haue layd theire foundations and measured the temple of God, the worship and worshippers, by that straight Reed God hath putt into theire hands, so they would walke on and build up with an undaunted heart and unwearied hand according to the same rules and patternes. That a due watch be kept and continued at the doors of God's house . . . that Anabaptisme, familisme, Antinomianisme, and generally that all errors of like nature which oppose, undermine, and slight either the Scriptures, the Sabboth, or other ordinance of God, and bring in and cry up unwarrantable Reuelations, inventions of men, or any carnall liberty under a deceitfull collure of liberty of conscience may be seasonably and duly suppprest; though they wish as much forbearance and respect may be had of tender consciences seeking light as may stand with purity of religion and peace of the churches. (The Commissioners of Plymouth [Timothy Hatherly, of Scituate, and John Brown, of Rehoboth], desire further consideration concerning this advise given to the generall Corte.)[1]

[1] Of Mr. Hatherly we shall speak presently. Mr. John Brown was Governor's Assistant as early as 1636, and for many years held high of-

The commissioners close their appeal with these beautiful and touching words:

If thus wee be for God he will certainly be with us. And though the God of this world (as he is stiled) be worshipped and by usurpation sett upon his throane in the maine and greatest part of America, yet this small parte and portion may be vindicated as by the right hand of Jehovah, and justly called Emmanuell's land.

But this advice regarding suppression did not seem to "take," and so three years after, in October, 1649, the Massachusetts Court thus addressed the "Corte" of the Pilgrims:

Wee have heard heeretofore of diuerse Anabaptists arisen up in your jurisdiction and connived at; but being but few wee well hoped that it might have pleased God by the endeavors of yourselves and the faithful elders with yow, to have reduced such erring men againe into the right way. But now to our great greife wee are credibly informed that your patient bearing with such men hath produced another effect, namely, the multiplying and encreasing of the same errors, and wee feare may be of other errors also, if timely care be not taken to suppresse the same. Particularly wee understand that within this few weekes there have binn at Sea Cunke thirteene or fowerteene rebaptised (a swift progresse in one toune); yett wee heare not of any

fice in the government. He was so much "opposed to coercing people to support the ministry, although he was willing to contribute his full proportion" (see Bliss' "Rehoboth") that in 1655 he promised the Court that he "would engage himself in behalf of those who were the inhabitants of said town . . . that they should voluntarily contribute according to their estates; and if any of them fell short in this business, he would supply that want of his own estate; and this he would make good by engaging his lands for seven years in their behalf while they staid, though he himself should remove from the place"; and this proposal was accepted by the Court. His son, James, was a constituent member of Elder Myles' church in 1663.

effectual restriction is entended thereabouts. Lett it not, wee pray yow, seeme presumption in us to minde yow to take care as well of the suppressing of errors as of the majntenance of truth, God equally requiring the performance of both at the hands of Christian magistrates, but rather yow will consider our interest is concerned therein. The infeccon of such diseases, being so neare vs, are likely to spread into our jurisdiccion: *Tunc tua res agitur paries cum proximus ardet.*[1] Wee are vnited by confederacy, by faith, by neighborhood, by fellowship in our sufferings as exiles, and by other Christian bonds, and wee hope neither Sathan nor any of his instruments shall, by theis or any other errors, disvnite vs, and that wee shall neuer have cawse to repent vs of our so neare conjunction with yow, but that wee shall both so equally and zealously vphold all the truths of God revealed, that wee may render a comfortable accompt to him that hath sett vs in our places, and betrusted vs with the keeping of both tables, of which well hoping, wee cease your farther trouble, and rest,

Your very loving freinds and brethren.

What active measures the Pilgrims would have taken to "suppress" the Anabaptists had they not been incited to this business by the Puritans of the Bay, can never be known. But after so much urging from abroad, and ever being "loath," as Winslow once said, "to displease the Bay," they felt bound, as it appears to me, to attempt suppression in a mild way. And so in about ten days after the gratuitous and unsolicited advice respecting the distant "Sea Cunke Anabaptists" was given, "Obadia Hullme" (Holmes) and two others, "were bound one for another in the sum of tenn pound apeece to appear at the next General Court," in June, 1650, on which occasion, as Holmes writes:

[1] When your neighbor's house is afire, your own is in danger.

We met with four petitions against our whole company to take some speedy course to suppress us; one from our own plantation [Seaconck] with thirty hands to it; one from the church, as they call it, at Taunton; one from all the ministers in our [Plymouth] Colony except two, if I mistake not; and one from the Court at Boston, in the Massachusetts, under their Secretary's hand; whereupon the Court straitly charged us to desist, and neither to ordain officers, nor to baptize, nor to break bread together, nor yet to meet upon the first day of the week.

In less than a week after this the Court enacted as its first law relating to this matter:

That whosoeuer shall hereafter set vp any churches or publicke meetings diverse from those allreddy set vp and approved, without the concent and approbaccon of the Government, or shall continew any otherwise set vp without concent as aforesaid, shalbe suspended from haueing any voyce in towne meetings, and presented to the next generall Court to Receue such punishment as the Court shall think meet to Inflict. Whosoeuer shall villifie by opprobrious tearmes or speeches any church or minestry or ordinance, being heerof lawfully convicted, shall forfeite and pay to the use of the Colonie ten shillings for every default.

On October 2, of the same year, 1650, the year before Holmes received his "thirty strokes" in Boston, he with eight others of the town of Rehoboth (John Hazell, Edward Smith and wife, Joseph Tory and wife, William Deuell and wife, and the wife of James Mann), was again presented "for the continewing of a meeting vppon the Lord's day from house to house, contrary to the order of this Court enacted June the 12th, 1650." No sentence against them is found in the Court Records, and probably they were only threatened with a fine. "How different is this," says Backus, "from the actings of Boston Court next year!" In 1651 the

Court re-enacted substantially the foregoing law, with an added penalty:

Whatsoeuer person or persons shall neglect the frequenting the publicke worshipp of God that is according to God in the places wher they liue or doe assemble themselues vpon any pretence whatsoeuer in any way contrary to God and the allowance of the gouerment tending to the subversion of Religion and churches, or palpable prophanacon of God's holy ordinances, being duely convicted shall pay ten shillings for euery such default. If any in any lazey, slothfull, or prophane way, doth neglect to come to the publicke worship of God, he shall forfeit for euery such default ten shillings or be publickly whipte.

This is known as the Thomas Hinckley law; and it is worthy of remark that in the turn of events during the Andros usurpation, this man, afterward governor of the Colony, and in behalf of the Colony, himself preferred a petition to the king "that there be liberty of conscience in matters of religion, . . and that all their meeting-houses may be left free to them according to the intention of the builders thereof."[1] Had

[1] In 1657, the first coercive law for the support of ministers was enacted, as follows: "Ordered . . . that in whatsoeuer Township there is or shalbee an able, Godly Teaching ministry, which is approued by this Gouernment, that then four men be Chosen by the inhabitants, or Incase of theire neglect, Chosen by any three or more of the majestrates to make an equall and just proportion vpon the estates of the inhabitants according to theire abillities, to make vp such a convenient maintenance for his comfortable attendance on his worke as shalbee agreed vpon by the church, . . and that distresse according as in other just cases provided, bee made vpon such as refuse to pay such theire proportions, which is in justice due. But Incase there be any other way wherby any township doe or shall Agree that may effect the end aforesaid, this law not to bee binding to them." Two years previously the Court enacted that, "If there appears to bee a reall defect in the hearers of the ministers soe complaining [of a want of due maintenance] the majestrates shall vse all gentle means to p'swade

not Holmes and his friends soon removed to Rhode Island we cannot tell what the Plymouth authorities would have done with them. A dark cloud was at that time gathering over the few Anabaptists in the Colony, which seems to have been dissipated only by the fact of their removal. That the early Pilgrim authorities were not in favor of unlimited toleration, and were not altogether opposed to "suppression," is evident from a letter written to Governor Winthrop, in 1645, by Edward Winslow, who, speaking of an important order submitted to the legislature (perhaps a petition of William Vassall and others) says that it would "allow and maintaine full and free toleracon of religion to all men that would preserue the civill peace and submit unto government, and there was no limitacon or excepcon against Turke, Jew, Papist, Arrian, Socinian, Nicholayton, familist, or any other, etc. . . But the governor [the tolerant Bradford] would not suffer it to come to vote, as being that indeed would eate out the power of godliness," etc. Winslow says: "I utterly abhorred it as such as would make us odious to all Christian commonweals."[1] As late as 1674 one at

them to doe theire duty herein, but if any of them shall not heerby bee reclaimed, but shall p'sist through plaine ostinacye against an ordinance of God, then it shalbee in the power of the majestrate to vse such other meanes as may put them vpon theire duty." By a law of 1670 two persons were to be appointed in the minister's stead, to "gather in the minister's maintenance by Inciting of the people to theire duty in that respect, demanding it when due; and if need be by procuring distraint," etc.

[1] Yet Winslow kindly remembered Williams in his banishment. "It pleased the Father of Spirits," writes Mr. Williams, "to touch many hearts dear to him with some relentings; amongst which that great and pious soul, Mr. Winslow, melted, and kindly visited me at Providence, and put a piece of gold into the hands of my wife for our supply."

least of the Plymouth Colony ministers, Rev. Samuel Arnold, of Marshfield, was capable of giving sound orthodox and Puritan advice touching this business of suppression. In an election sermon he said: "When persons err in fundamentals, deny Christ, the word of God, eternal election, etc., such persons and heretics had need be suppressed." This is really but an echo of the Court in 1671, that

> if any really or in pretence of conscience shall profess that which eminently tendeth to the inundation of civil state and violating of natural bonds, or the overthrow of the churches of God, or of his worship, that herein prudence is to be improved in a special manner in the enactment and execution of such laws as may be useful for the upholding of the same against such destructive errors.

Some time prior to this last date the penalty attached to the Thomas Hinckley law must apparently have been augmented, for on July 2, 1667,

> Mr. Miles and Mr. [James] Browne, for theire breach of order in seting vp a publicke meeting without the knowlidge and approbation of the Court, to the disturbance of the peace of the place, are fined each of them the summe of fiue pounds, and Mr. Tanner the summe of twenty shillings. And wee judge that theire continuance att Rehoboth, being very prejudiciall to the peace of that church and that towne, may not be alowed, and doe therefore order all persons concerned therein wholly to desist from the said meeting in that place or township within this month; yett incase they shall remoue theire meeting vnto some other place where they may not prejudice any other church, and shall giue vs any reasonable satisfaction respecting theire principles, wee know not but they may be permitted by this gouernment soe to doe.

In the following October the Court made to them

and others an ample grant of land, which they called Swanzey (from Swansea in Wales), a blending here surely of mercy with judgment.

But Baptists sprang up again in Rehoboth, and in 1710 Elder Ephraim Wheaton, the friend and correspondent of Thomas Hollis, with many others, petitioned the General Court to be relieved from the payment of ministerial rates. This relief, however, does not seem to have been granted, for in 1728–29 twenty-eight Baptists, two Quakers, and two Episcopalians, who lived within the bounds of Rehoboth, were imprisoned at Bristol for refusing to pay these taxes. A manuscript account of their imprisonment, which lies before me, states that they were "carried from their families to a nauseous apartments in Bristol Gaol, and there confined twelve days, during which time they received the most unkind and unchristian treatment; altho some of them was weak and sickly." This specimen of barbarism, however, did not occur under specifically Pilgrim rule.[1]

[1] We here give a few extracts from a sweet evangelical letter sent by Mr. Hollis to Elder Wheaton, in 1723, the whole being found in Backus' "History," Vol. I., 509. Among other things Mr. Hollis says: "I mourn because of the ignorance of your sleeping Sabbatarians. . . Let no man rob us of our comfortable hope that when we cease to be here we shall be present with the Lord, in whose presence the saints believe is fullness of joy in a separate state, and expectation of greater in the resurrection." He (who in this letter declares himself to be "a Baptist") closes his epistle by saying: "Where the image of Christ is formed in any, I call them the excellent of the earth; with such I delight to associate and worship, whatever particular denomination they may go by among men; and this I would do till we all come into the unity of the faith," etc. Thomas Hollis, Esq., was a member of an independent church. Mr. Wheaton often received books and other benefactions from his English friend. The like also is true of Mr. Callender, of Boston.

From this whole account our conclusion is, that while the Pilgrims had no very kindly feelings toward the Anabaptists, they yet cannot be called bitter or greatly active persecutors of them; but they *began* to persecute mildly. They were, as concerns the Baptists, incipient, but mild persecutors.

But what about the relation of the Pilgrims to those "notorious hereticks," the Quakers? As we might have expected, the Puritans of the Bay took the initiative in the matter of Quaker persecution in the Pilgrim Colony. In September, 1656, the commissioners of the four united Colonies, meeting at "New Plimouth," received a message from the "Gouernor and majestrates of the Massachusetts," stating that "hear hath arrived amongst us seueral persons professing themselves quakers, fitt instruments to propagate the kingdome of Sathan; for the Securing of ourselues and our Naighbours from such pests wee haue Imprisoned them till they bee despatched away to the place from whence they came." They then request the commissioners, doubtless for the special benefit of the Plymouth jurisdiction, that "some generall rules may bee alsoe comended to each Generall Court to prevent the coming in amongst us from foraigne places such Notorious heretiques as quakers, Ranters," etc. A month after this the Massachusetts Court passed their first law against this "cursed sect." And in the years immediately following they passed still other laws, several of which for their barbarity can hardly be excelled. And it is not uncharitable to suppose that they would like to have the Plymouth Pilgrims inflict like barbarous tortures on the turbulent and contemptuous Qua-

kers. And in this instance the Pilgrims proved pretty apt scholars, and quickly began to imitate, in a measure, the Puritan example—their first law against the Quakers having been passed, June, 1657, less than a year after the Puritans passed theirs. The Pilgrims, unlike the Puritans, did not make Quakerism a capital offense. The banishment they inflicted was not upon pain of death. They did not torture and mutilate, as did the Puritans. They did not apply the lash to the naked backs of obstinate Quakers tied to a "carts tayle." But they did sentence them to be imprisoned, to be put into the stocks, to be "laid neck and heels," to be publicly whipped, to be disfranchised, to be banished, and their goods, books, horses, etc., to be seized. And those who ventured to harbor, aid, or encourage them in any way fared but little better.

In the writer's native town, Scituate, to which frequent reference has been made, a town noted above all others for its freedom of religious thought and practice in early times, lived two prominent laymen who were champions of religious liberty, Timothy Hatherly and General James Cudworth; the latter being, as it is supposed, brother of the renowned English Platonist, Ralph Cudworth, author of the "True Intellectual System of the Universe." Both these gentlemen held high offices in the government till they fell, in 1658, under the displeasure of the stern Governor Thomas Prince,—who was "a terror to the wicked,"—and were disfranchised for their opposition to the persecution of the Quakers.[1] In a letter written by General Cudworth,

[1] Isaac, son of Rev. John Robinson, who lived for a time in the above-named town, and was an assistant in the government, was likewise dis-

in 1658, to a former magistrate (at that time in England), in regard to these times, he says:

As to the state and condition of things among us, it is sad and so like to continue. The anti-Christian persecuting spirit is very active, and that in the powers of this world. He that will not lash, persecute, and punish men that differ in matters of religion must not sit on the bench, nor sustain any office in the Commonwealth. Last election Mr. Hatherly and myself were left off the bench and myself discharged of my captaincy, because I had entertained some of the Quakers [John Copeland and William Brend] at my house, thereby that I might be the better acquainted with their principles. I thought it better to do so than, with the blind world, to censure, condemn, rail at, and revile them when they neither saw their persons nor knew any of their principles. But the Quakers and myself cannot close in divers things; and so I signified to the Court I was no Quaker, but must give my testimony against sundry things that they held as I had occasion and opportunity. But withal I told them that as I was no Quaker, so I would be no persecutor.

And then he goes on to acquaint his friend

a little with their sufferings, which is grievous, and saddens the hearts of most of the precious saints of God; it lies down and rises up with them, and they cannot put it out of their minds, . . Truly it moves bowels of compassion in all sorts except those in place who carry it with a high hand towards them. Through mercy we have yet among us the worthy Mr. Dunster, whom the Lord hath made boldly to bear testimony against the spirit of persecution.

This last statement is not contradictory to the assertion of Secretary Morton, that Mr. Dunster "was

franchised because of his opposing Quaker persecution, having become almost a Quaker himself in his endeavors to convert others. He was, however, afterward restored to favor.

useful in helping to oppose the abominable opinions of the Quakers, and in defending the truth against them." But it does contradict and effectually annul the statement made in Francis Baylies' "History of Plymouth Colony," that Mr. Dunster was "violent and intolerant," and that his "dislike and hatred of the Quakers was unrelenting and vindictive," a statement which I have never seen made elsewhere, and for which there is no ground whatever. The historian, Dr. George E. Ellis, who cannot be supposed to have any special sympathy for Mr. Dunster's religious views, speaks of him far more truly as "one of the most engaging, lovable, and most eminently serviceable men in our earliest Annals." And President Josiah Quincy, in his "History of Harvard University," bears witness that "Dunster possessed a gentle heart and a noble vein of Christian charity."

We may here state that the penalty in Plymouth Colony for entertaining Quakers, as Mr. Cudworth had done, was "five pounds for every such default or be whipped." Young Copeland, one of the Quakers whom he entertained for a night or two, received in Boston thirty strokes with a knotted whip of three cords, and had his right ear cut off in the prison. Previously, though in the same year, 1658, he had been whipped in Plymouth and Barnstable. Brend, his companion, fared still worse. We here quote mainly from Sewel's large "History," and from the "Historical Memoirs of the Society of Friends," by William Hodgson, published by J. B. Lippincott & Co. Detained in Boston prison in order to pay his fees, he yet refused to work, "not feeling at liberty with a clear conscience

to pay." For not working the jailer first gave him twenty blows with a three-corded whip, and afterward put him into irons, placing a fetter on each leg, and one round his neck, and drawing them with force together, "neck and heels," and then left the aged man locked in this suffering position sixteen hours. Still refusing to work, the jailer took a piece of inch rope and beat him with all his strength, till, after striking about twenty blows, the rope began to untwist. Afterward, he produced a much stronger rope and continued to beat him therewith until he had given ninety-one blows, and his own strength was exhausted. This "W. Brend," said John Norton, "endeavoured to beat our Gospel ordinances black and blue, and it is but just upon him if he is beaten black and blue also." And the poor sufferer's back was beaten till it seemed almost like a jelly, and having moreover been five days without food, he at length sunk down and seemed to be dying. Lest the bloody transaction would look too much like murder, the rulers sought by every means to revive him, and even the governor sent him a physician. And strange to say, he was favored with a rapid recovery. Like his companion, he also received a whipping in Plymouth, and was finally banished upon pain of death. Among the whippings performed in Plymouth this same year, 1658, was that of Humphrey Norton, who almost deserved his twenty-three lashes for his insolence to Governor Prince, telling him at sundry times: *Thou liest! Thomas, thou art a malicious man*, etc. He afterward sent the governor a scurrilous letter, a part of which is printed in Backus' "History," Vol. I., 256; also a similar letter to John Alden. In

New Haven he had the letter H deeply burned in his hand, "the only instance of branding [of Quakers?] in New England," (Ellis). Indeed, as compared with the mother country, the Puritan Colony was lenient in respect to capital offenses and penal inflictions.[1]

Under a new governor, Mr. Cudworth, after fifteen years had elapsed, was restored to favor, and was appointed "Ginnirall" in King Philip's war, while Mr. Hatherly, "the principal founder and father of the town of Scituate," who served as the Governor's Assistant thirteen years, as commissioner of the United Colonies three years, as treasurer of the Colony also, and who was the equal of any that ever occupied the colonial governor's chair, was suffered to remain in retirement. The above quoted utterances of Mr. Cudworth, must not be regarded as the prejudiced testimony of a man soured by disappointment. In subsequently declining a certain office, he says: "I do not in the least waive the business out of any discontent in my spirit arising from any former difference; for the thought of all which is and shall be forever buried so as not to come to remembrance." The historian of Scituate, Rev. Samuel Deane, remarks that "his magnanimity has rarely been equaled, and when we couple with it the mildness and humanity of his demeanor, his character reaches the sublime."

[1] See J. H. Trumbull's "Blue Laws, True and False," of Connecticut and New Haven Colonies, pp. 10–23; also Palfrey's "History of New England," Vol. II., 26–29. Mr. Palfrey states that there were in England thirty-one capital crimes at the end of Queen Elizabeth's reign, and that subsequently, at one time, their number was estimated at two hundred and twenty-three. Plymouth Colony in early times had but eight capital offenses, and Massachusetts but eleven.

As a slight apology for the Pilgrims in their persecution of the Quakers we may say, in the words of the last-named author, and as the result of what we have already seen, that "The General Court of Massachusetts communicated to Plymouth Colony the first impulse of opposition to this sect." In the Puritan Colony the leading Quakers were confessedly turbulent, fanatical, indecent, and we wonder not that under a theocratic government the Puritan magistrates and ministers thought that the actions and principles of this sect "tended to undermine the authority of civill gouernment as also to destroy the authority of the churches." In the Plymouth jurisdiction the Quakers were less turbulent and fanatical,[1] yet they could not be regarded as desirable neighbors or good citizens. Roger

[1] There are of course exceptions to this statement. From Increase Mather (see also "Magnalia," Lib. II., 458) we learn that "a man, passing under the name of Jonathan Dunen (Dunham), a singing Quaker, drew away the wife of one in Marshfield, to follow him; also one Mary Ross, falling into their company, was quickly possessed with the devil, playing such frentick and diabolical tricks as the like hath seldom been known or heard of; for she made herself naked, burning all her clothes, and with infinite blasphemy, said she was Christ, and gave names to her apostles, calling Dunen by the name of Peter, another by the name of Thomas; declaring that she would be dead for three dayes, and then rise again; and accordingly seemed to die. And while she was pretendedly dead, her apostle, Dunen, gave out that they should see glorious things after her resurrection; but that which she then did was she commanded Dunen to sacrifice a dog. The man and the two women danced naked together, having nothing but their shirts on. The constable brought them before the magistrates in Plymouth, where Ross uttered such prodigious blasphemy as is not fit to be mentioned" (quoted by Dr. Dexter). The man was "centanced to be publicly whipt att the post," and ordered out of the jurisdiction, and was further condemned to be "soe serued as oft as he shall vnnecessarily returne into it to disseminate his corrupt principles."

Williams talked as hard against the Quakers as did any of the Puritans. What the Pilgrims would have done with them, if left to themselves, we can hardly conjecture. Both Puritan and Pilgrim necessarily partook of the stern spirit of their age, in the severity and frequency of their punishments.[1] It must not, of course, be understood that the corporal punishments we have named were confined merely to Baptists and Quakers, or to matters of religious faith and practice. They were visited upon many offenses of widely different kinds. Whippings, especially, as a legal penalty for adult transgressors seem to have been as common in those times as they were inside the schoolhouses of our—let us rather say—our fathers' childhood.

One thing must be confessed to the everlasting honor both of Puritan and Pilgrim, that however many and grievous their mistakes, they were yet in their principles and conduct thoroughly earnest, honest, and conscientious. And I feel that if we could put ourselves in their place, and could understand all the difficulties they had to encounter, we should sympathize with them far more deeply than we do, and be better enabled to do them justice. How unfair, for example, and how ridiculous, to reproach the Puritans for the poverty of their literature, especially as contrasted with the immortal writings produced in the mother country during the same period—engaged as they were for so

[1] If one wishes to see how much the Baptists and Quakers suffered in England, vastly more than in this country, we refer him to a brief statement in Dr. Dexter's "As to Roger Williams," pp. 123–4, 137. See also, as concerns the Baptists and other dissenters, Crosby's "History of the English Baptists," Vol. II., and Ivimey's "History," Vol. I., and as concerns the Quakers, see Sewel's "History," Vol. II.

long a time in subduing a wilderness, rugged in soil, severe in climate, infested with wild beasts and savage men, often engaged in bloody and expensive wars, and living too, without the conveniences of money and other things as we have them, so that no little part of their time was occupied in keeping the wolf, both the literal and the metaphorical, from their doors. But apart from all consideration of their physical surroundings, which, of course, were not conducive to the cultivation of belles-lettres, it seems to me that their earnestness of moral purpose was alone sufficient to determine the character and extent of their literary pursuits, whatever may have been their literary tastes. They felt, I doubt not, that there was something more important for them to do in this world than to devote their intellectual energies to the production of the lighter, or, what we deem, the more pleasing kinds of literature. It is a conceded fact that many of our Puritan fathers ranked among the most eminent scholars of their time; and it was in the interest of learning and of culture that soon after their arrival, in 1636, they founded a college in this wilderness—an example, I venture to say, whose like has not a parallel in the history of the world. And yet it was in this same seat of learning that a historian in his recent lectures exhibited not a little of this unfairness of which I have spoken.[1]

It is also my conviction that justice cannot be done them by those who, like many of our "liberal" historians, have no special sympathy with their religious

[1] See "Massachusetts, its Historians and its History," by Charles Francis Adams.

views and aims. And yet I cannot conceive how any person can fail to have very great respect for their sincerity of purpose and righteousness of intent. In contrast with the harsh and often cynical criticisms of the Puritans by some recent historians, we gladly place on record a different estimate of their character by Dr. Alexander Young. In his preface to his "Chronicles of the First Planters of Massachusetts Bay," he says:

> No nation or State has a nobler origin or lineage than Massachusetts. My reverence for the character of its founders constantly rises with the closer study of their lives, and a clearer insight into their principles and motives. Much as has been said in commendation of them, their worth has never been overrated, and we should never be tired of recounting their virtues.[1]

In pursuing the course of intolerance which they did, they were undoubtedly inconsistent. It seems to

[1] Dr. Young was a Unitarian clergyman, but one of the older school. The following utterances of his in a sermon preached at the ordination of Rev. George E. Ellis, in Charlestown, March 11, 1840 (whose lamented decease has occurred during this present writing), have almost an orthodox ring. He says: "For one, I must humbly acknowledge that I do not feel the want of a speculative philosophy to put underneath and shore up my religion. I am not ashamed to avow that my faith is built upon the foundation of the apostles and prophets, Jesus Christ himself being the chief cornerstone. . . I cling to revelation. I hold to the record. Without the record of a supernatural faith which I find in the pages of the New Testament, I confess I should feel like the sailor set adrift on mid-ocean without rudder, compass, or chart—without his quadrant and his 'Practical Navigator.' I turn to the inspired word of Christ as the needle seeks the pole star. . . Above all, let Christ be preached; not the Christ of theory, of imagination, or of philosophy, but the Christ of the New Testament, the Mediator, the Redeemer, the Saviour, the Son of God, the Advocate with the Father, the Light of the world. Let not the Christian minister fear that he shall insist on the person or the offices of Jesus with a noxious exaggeration," etc.

me also that at times they must have had some doubts as to the rightfulness of their severest penal inflictions. But I should not care to say, as a recent historian—Charles Francis Adams, a descendant of Thomas Shepard, of Cambridge—has said, that "they knew better." It is quite enough to say that they ought to have known better, those at least of them who had suffered from oppression in the Old World, and who in consequence knew the worth of personal religious freedom. It must be remembered of the Puritans that theirs was no easy-going, careless faith or no faith. With them religious error was soul-destroying, and hence infinitely more to be dreaded than the plague. "Doubtless," said one of the Puritan ministers, "doubtless they that are nursing fathers of their people ought as well to prevent poison as to provide food for them." They had intense convictions of the unspeakable importance of religious truth and of their own religious faith. And their whole aim was to set up in their little corner of New England—"sequestered from the rest of the world," and, as Urian Oakes and John Higginson said, "originally a plantation not for trade but for religion"—God's way and worship in purity. They aimed to exhibit to the world "a specimen or a little model of the kingdom of Christ on earth." And they knew no better way in which to establish and conserve orthodoxy in church and righteousness in State, in their little Church and State home, than to keep out, and, as their charter worded it, "repulse, repell," and exclude even by force, heretics and other persons whose influence they deemed destructive of their Church and State community, and

who, as they felt, had no right to intrude themselves into their community. If ever a people on earth were conscientious, they were that people; but to say that "they knew better," is to say that they deliberately acted against their consciences. But this is to deny them all claims to greatness or goodness. Yet "these men," as Dr. Jeremiah Chaplin, in his "Life of President Dunster," well remarks, "were so truly great and good that, better than most men, they can bear the exposure which historic justice necessitates." Nor must we forget the profound truth of Froude's assertion concerning Sir Thomas More, that, "The spirit of persecution is no peculiar attribute of the pedant, the bigot, or the fanatic, but may coexist with the fairest graces of the human character."

PART III

SUBSEQUENT STRUGGLES AND FINAL TRIUMPH

Divine truth is immortal; it may perhaps for long be bound, scourged, crowned, crucified, and for a season be entombed in the grave, but on the third day it shall rise again victorious, and rule and triumph forever. —*Hübmaier, an Anabaptist martyr, 1528.*

Planting himself at the period of the Confession of the seven churches of Christ in London (1643), the Baptist historian, as he looks down the line of coming years, beholds struggles which might appall the stoutest heart, and, at the same time, triumphs which, had they been uttered in prophecy, would have been scarcely less wonderful than those ancient ones in which the seers of the Captivity proclaimed the return to Zion.—*S. S. Cutting's "Historical Vindications," p. 43.*

In 1692 the Plymouth Colony was merged into that of Massachusetts, and thenceforward the governors of the consolidated Colony, or "Province," were appointed by the British Crown. By these acts, and by the doing away of any church-membership qualification for voting and office-holding, the Puritan rule of the Colony was greatly weakened for the future, as in the recent past it had been lessened by kingly authority, and especially by the annulling, in 1684, of the Massachusetts charter. For a time, under the Andros usurpation, the scales were completely turned, and Episcopalian rule became the order of the day. He carried the Episco-

palian worship even into the Old South meeting-house, and "threatened to shut up their doors if he was refused; and further threatened that public worship in the Congregational way should not be tolerated." And when Dr. Increase Mather arrived in London, in 1688, he, with others, petitioned the King "that there might be liberty of conscience in matters of religion, . . and that all their meeting-houses may be left free to them according to the intention of the builders thereof." The ingredients of the bitter chalice which they had forced others to take were now commended to their own lips.

But, though the times in general had greatly changed, the Puritan character and spirit long remained a dominant power both in Church and State. We might have supposed that under the new royal charter of 1691, which allowed equal liberty of conscience to all Christians except Papists, all denominations of Protestant Christians might at once have been permitted to enjoy the same liberty. But the very next year the Massachusetts Assembly enacted:

> That every minister, being a person of good conversation, able, learned, and orthodox, that shall be chosen by the major part of the inhabitants of any town . . . shall be the minister of such town; and the whole town shall be obliged to pay towards his settlement and maintenance, each man his several proportion thereof.

But Boston, with its different churches of differing denominations, could not submit to this law, and so the Assembly, in 1693, repealed it, and in its stead enacted that each respective gathered church in any town or place which is in want of a minister shall,

with the concurrence of the majority of voters in town affairs who usually met therewith for worship, have power to choose their own minister, and every minister thus obtained should be supported by all the inhabitants and ratable estates lying within such town or part of a town or place, provided that nothing herein contained shall "abridge the inhabitants of Boston of their accustomed way and practice as to the choice and maintenance of their ministers." "Thus," as Backus says, "in order to tax the country to religious teachers, they were *abridged* of the rights which Boston would not part with." The Assembly still further empowered the ratable inhabitants of any town where no church was gathered, to call and settle a minister, by the advice and direction of three neighboring ordained ministers, who should be supported by taxation as others were, and that if any town or place neglected to obey these laws, the town authorities, upon legal conviction of such neglect, be fined forty shillings for the first offense, and four pounds for every after conviction. We thus see how, by the strong Puritan influence which still survived in the Province of Massachusetts, the day of equal religious liberty for all was delayed for many generations. We now purpose to notice some of the more important steps and influences by which, after a long and gigantic struggle, religious liberty was at length secured.

I. A SPIRITED REMONSTRANCE FROM THE BAPTIST CHURCHES.

After the oppressive and humiliating exemption act was passed in 1753, and "the legislature at Boston

broke in upon their own exemption law," the Baptists, as Backus further states,

were so much alarmed as to call several meetings [in Medfield, Bellingham, Boston] and to elect [at the Convention in Bellingham] Mr. John Proctor their agent to carry their case to England; and they subscribed above a hundred pounds therefor, and he drew a remonstrance upon the subject which was presented to the Assembly in Boston, in May, 1754. It stated matters so plainly that a motion was made by some to take the signers of it into custody; but Governor Shirley, newly returned from Europe, convinced them of the impolicy of such a step, and then they appointed a committee to confer in a friendly way with the Baptists; and matters were shifted along until the war came on, and their design for England was dropped.

This Mr. Proctor, clerk of the Second Baptist Church, in Boston, was a native and public school teacher of that town, in whose schoolhouse the church worshiped for a while. Our readers will see that, in the words of the editor of Backus' "History," Prof. David Weston, this is "a paper of much merit and historic value," which, with other papers of kindred interest, he greatly desired should be published. We give it as printed in Dr. Baron Stow's Centennial Sermon of July 27, 1843.

Memorial and Remonstrance.

To his Excellency, William Shirley, Esq., Captain-General and Governor-in-Chief in and over His Majesty's Province of the Massachusetts Bay, in New England, and to [the] Honorable His Majesty's Council, and the Honorable House of Representatives in General Court assembled in Boston the 29th day of May, Anno Domini 1754—

The Memorial and Remonstrance of Thomas Green, Thomas Boucher, Ebenezer Moulton, Ephraim Bosworth, Joseph Collins,

Philip Freeman, Joseph Gould, Thomas Cheney, and John Proctor, a Committee appointed in behalf of several Societies of the people called Baptists, inhabitants within the said Province, *Humbly set forth*,

That in the Royal Charter granted by their majesties, King William and Queen Mary, to the inhabitants of this Province, wherein your memorialists and all their brethren are included, their said Majesties were graciously pleased to ordain that we and every of us, and our children that should be born here, or on the Seas in coming here, or returning from hence, shall have and enjoy all liberties and immunities of free natural subjects, to all intents, constructions, and purposes whatsoever, as if we and every one of them were born within the realm of England. And for our further ease and encouragement, their said Majesties, of their princely wisdom, royal grace, and mere motion, did further grant, establish, and ordain to us, under the mildest appellation of "loving subjects,"—our being denominated Anabaptists, in any wise, notwithstanding,—that there shall be liberty of conscience allowed in the worship of God to all Christians, except Papists, inhabiting or which shall inhabit or be resident within this Province or Territory. From these Summary Abstracts, may it please your Excellency and Honors, we apprehend it plainly appeareth that your Memorialists, in their said capacity, all other his Majesty's good subjects, of the Baptist persuasion, whether they be denominated by the terms of General or Particular Baptists, learned or illiterate, it matters not in point of the Royal Indulgence to them so graciously and freely granted, but that they and every of them, his Majesty's loyal and loving subjects, of the said Baptist Persuasion, have as good, ample, and extensive a right to think and act for themselves, in matters of a religious nature, and have indeed as absolute and unlimited an indulgence to perform the worship of Almighty God, consonant to their consciences, and that with impunity, as any or all and every of the other respective Dissenting Churches and Societies, within this his Majesty's Province or Territory, whomsoever, be they Congregationalists, Independents, Presbyterians, or however otherwise denominated.

These Points being thus briefly premised, in which we pray

that this Honorable Court will not look with a severe eye on your remonstrants, in that they insist upon and claim their privileges by birthright; more especially when it is considered that so long since, as from the year 1692 to the year 1728, our said brethren of the Baptist Persuasion, inhabitants of this Province, have been more or less harassed and oppressed with ministerial rates so called; and notwithstanding the express Royal Indulgence to them granted by the Charter as before mentioned, have, with a high hand and by compulsion, contrary thereunto, been enforced to pay ministerial taxes for the maintenance of such ministers as are in fact Dissenters themselves, and upon whose ecclesiastical administrations our said brethren could not, in point of conscience, attend; and for their refusal to pay such ministers' rates, have oftentimes had their bodies seized upon and thrown into the common gaol as malefactors, and their cattle, swine, horses, household furniture, and implements of husbandry forcibly distrained from them, and shamefully sold, many times at not one-quarter part of the just value, by reason that people of real virtue and goodness were generally disinclined to buy or even bid at such sort of coerceive Outcries, whereby the estates of our said brethren became a prey to griping officers and their attendants, forasmuch as, generally speaking, the bill of charges brought by the distraining officer, for himself and his assistants, would be so swelled, inclusive of the ministerial rate, as nearly to counterbalance the several articles distrained from our brethren aforesaid.

It is with regret that we find ourselves compelled to look back so many years past on the repeated usurpations over the bodies and estates of our said brethren; but however disagreeable the retrospect may be, it is, indeed, we think, at this juncture become quite necessary (as perhaps may appear in the sequel), in order the more clearly to convey a just conception of our grievances to your Excellency and Honors, to unfold things as they really existed, inasmuch as from the like injurious fountain of ministerial assessment, our present oppressions derive their origin. With all due deference, therefore, your memorialists proceed further to observe that the heavy pressures and afflictions occasioned by the aforesaid distraints, imprisonments, and the

losses consequent thereupon, for ministerial taxes, made many of the said Baptists bend, almost ruined some of our people, and disheartened others to such a degree, that they moved, with the remaining effects they had left, out of this Province.

We have herein, in the abovementioned state of our case, been briefly (and in one general view pointing from the year 1692) down to the year 1728, at which last mentioned time, affairs seemed to be drawing to a crisis. Ministerial taxes were drove with vehemence through the Province (excepting the town of Boston and some other towns), even Episcopalians, as well as Baptists and Quakers, were indiscriminately laid hold on, and some imprisoned for ministers' rates. Four of our friends and brethren about this time were brought down out of the country and thrown into the Boston gaol, which when Lieut. Governor Dummer, who was then at the head of the government, had information of, he expressed a singular displeasure at such harsh proceedings, and forthwith ordered them out of prison, with free liberty to return home to their respective families. Our friends and neighbors, the said people called Quakers, being no longer able to endure these continued impositions and severities, by their respective memorials made application once and again to the General Court for relief,[1] which at length, after considerable cost and charge to the memorialists, produced the first act of Exemption, so called, entitled, "An act to exempt persons commonly called Anabaptists and those called Quakers, within this Province, from being taxed for and towards the support of ministers." This was in the first and second years of his present Majesty's reign; but as this act only exempted their polls and not their estates, and being remarkably limited to such persons only as lived within five miles of the place of meeting, it was bantered and laughed at, even by some of the principal gentlemen of the then General Assembly, and called in derision, "the

[1] Add: and our said brethren, the Baptists.

[1] A petition of certain Quakers to the General Court in 1720, represents "that the said people for years past had suffered the distraint and loss of their goods for the support of the Presbyterian or Independent ministers, and also for the building of their meeting-houses, and that too often with much extortion." The Quakers in 1706 had a meeting-house of their own in Boston.

five mile act," in allusion to the famous act made in England against the Dissenters, in the angry, persecuting time of Charles the Second. Both Baptists and Quakers hereupon renewed their applications to the General Court, determining, if they could not obtain further relief here to carry home their several complaints to the King, where they were well assured of full redress. This produced a second act, in 1729, wherein the Baptists and Quakers were exempted both as to polls and to estates, but clogged, however, with a limitation for less than five years. At the expiration of this second act, which brings us to the years 1733 and 1734, our said brethren were again obliged to apply to the General Assembly, Governor Belcher being then in the Chair, and an excellent friend he really was to the Baptists and Quakers through the whole of his administration. Nor can we omit in point of gratitude further to declare in this our memorial, that the late mentioned, and truly honorable Lieut. Governor Dummer, was indeed our good friend, and quite averse to everything tending to oppress the Quakers and Baptists.

In the year 1734, upon application again made as aforesaid, a third act was passed to exempt persons commonly called Anabaptists from ministerial taxes. This third act was more clear, accurate, and better drawn than either of the former, and therein it is expressly set forth that "to the intent it may be better known what persons are of that persuasion, and who are exempted by this act, that the assessors of each town, where any of the said Anabaptists live or their lands in their own actual improvement lie, shall take a list of all such persons and forthwith transmit the same to the clerk of the town, which list shall be entered on the record of such town by the clerk, that so any of the people called Anabaptists or any members of their Society, thereto appointed, may view such list, have a copy thereof if they desire the same, paying only six pence therefor, and if any person of that denomination shall be omitted in such list by the assessors taken, and the assessors shall be certified thereof in writing under the hands of two principal members of that persuasion, appointed thereto by the respective Societies, that such persons not inserted in their list they believe to be conscientiously of their persuasion, and they do frequently and usually attend their

meeting for the worship of God on the Lord's Day, the assessors shall also exempt the said persons so omitted, and their estates in their actual management and improvement, as well as all others inserted in the said list, from all rates and taxes by the said assessors to be made for the support of minister or ministers in their towns, or for erecting places of public worship, this act to continue for five years, etc.

Our oppressions on account of ministerial taxes, as aforesaid, seemed now to appear upon the decline; yet, nevertheless, in reality have, in a considerable measure, been continued throughout every of the said acts, by reason that, as in the former, so also in the last recited act, there was no sanction, no penalty annexed on the said assessors for their default of not doing their duty in taking such lists of the people called Anabaptists in their respective towns as the act directed. And when our said brethren have at sometimes reminded the assessors of their omissions herein they were generally snubbed and in a contemptuous manner answered, that the assessors knew nothing of any such act nor would they concern themselves therein. Other assessors, more knowing and intelligent, insisted upon it that as there was no penalty affixed on the non-performance of taking such lists of the Anabaptists in their respective towns, they would not trouble their heads about it. So that in most if not every town of this province where our said brethren dwell, no such lists as the said act points out were ever taken, or at least that we could ever come to the knowledge of. Which omissions, of consequence, exposed several of our brethren to journeyings, some of forty miles, others to a more or less distance, in order to procure certificates from their respective Societies that they were Baptists. The loss of time, travel, and expense from hence occasioned has sometime amounted to more than the ministerial tax.[1]

[1] Some assessors neglected their legal duty in another way and for other reasons; as it happened in Dartmouth and Tiverton. These towns were taxed in 1722-1723, one hundred and seventy-two pounds and eleven shillings for ministerial rates. But the Quakers, with the Anabaptists, constituted a majority in these towns, and several of the assessors were Quakers. Of course, they could not deem the Congre-

Upon the expiration of this third act the Baptists were again for the fourth time exposed to the further trouble, cost, and charge to apply to the General Court for a renewed exemption, which at length produced a fourth act of the like tenor and import with the act last before recited (which brings us to the year 1740), and this fourth act was enacted to be in force for the term of seven years, during all which time last expressed the said assessors persisted, to the great detriment of our said brethren, in their omissions as aforesaid, this said last act being as utterly void of any penalty on them for their neglect as the former

We are now coming to a more happy Epoch, namely, to the year 1747, under the mild and good government of your Excellency. At the expiration of this fourth and last act which was to end in the said year of 1747, our said brethren, many of them being near worn out with so many applications and repeated strugglings to obtain a just redress of their grievances as aforesaid, were determined to make application to his Majesty;[1] but so it remarkably came to pass that in this very year of 1747, the General Assembly of this Province made an act for reviving and continuing sundry laws expired or near expiring, wherein the act to exempt the persons commonly called Quakers, and also the act further to exempt persons commonly called Anabaptists, and every clause, article, and thing therein contained were

gational ministers to be genuinely orthodox, and they thought it wrong to assess the majority of the inhabitants to support these ministers, and hence refused to do so. Consequently, for their non-compliance with the law, they were cast into prison. A memorial, however, in their behalf was sent to "King George, of Great Britain," etc., and he was pleased to order that the ministerial tax should be remitted, and that the imprisoned assessors, after their thirteen months' confinement, should "be immediately released"! For this interesting memorial, see Backus' "History," Vol. I., p. 501.

[1] Among the Backus manuscripts is a subscription paper, dated Providence, March 7, 1749, signed by Elder Ephraim Bound and others, to pay expenses of an agent to England to make known the needs of the Baptist cause in this country. Mr. Bound was one of the constituent members and also the first pastor of the Second Baptist Church in Boston.

revived, continued, and to remain in full force ten years from the publication of this act; Your Excellency, His Majesty's Council, and the House of Representatives therein, publicly, like wise and good legislators, declaring in so many words that the aforesaid laws (to exempt the Quakers and Baptists) have by experience been found beneficial and necessary. This was the most generous, just, and kind treatment that the Baptists and Quakers ever experienced from the General Assembly of the Massachusetts Bay, and inasmuch as it was purely the effect of their own good will and mere motion, not being solicited therefor, and the exemption extended to a longer term of years than any of the former acts, it was still the more beneficent, and failed not to penetrate the hearts of our people with proportionate sentiments of real thankfulness to the whole General Court, and in a singular manner to your Excellency, under whose Serene Administration it had its first operation. The Baptists now, and with good reason as might be supposed, justly expected, after all their former tossings, conflicts, and afflictions, to have enjoyed peace and rest in the land for at least the term of ten years, commencing as aforesaid. But these, their expectations were, it seems, soon cut down and withered. For so indeed it was that sometime about the beginning of last year, 1753, your Excellency, unhappily for us, being then in Europe, that the Lieut. Governor, Council, and House of Representatives passed an act which is surprisingly entitled, "An act in addition to an act, passed the 13th year of his present Majesty's reign entitled, an act further to exempt persons, commonly called Anabaptists, within this Province, from being taxed for and toward the support of ministers," which runs thus:

"Whereas, notwithstanding the provision already made by an act made and passed in the 13th year of his present Majesty's reign, entitled, an act further to exempt persons, commonly called Anabaptists, within this Province, from being taxed for and toward the support of ministers, in order to ascertain and make known what persons are of that persuasion which denominate themselves Anabaptists, and who shall enjoy the privilege and be esteemed as entitled to the exemption from taxes, etc., in said act mentioned, many doubts have already arisen thereon,

and in many cases the said exemption has been extended to many persons to whom the same was never designed to extend—for preventing thereof for the future, and in order to ascertain more effectually what persons shall be esteemed and accounted as Anabaptists, and to whom the said exemption shall thereafter be extended,

"*Be it enacted*, by the Lieut. Governor, Council, and House of Representatives, that no person for the future shall be so esteemed to be an Anabaptist as to have his poll or polls and estate exempted from paying a proportionate part of the taxes that shall be raised in the town or place where he or they belong, but such whose names shall be contained in the lists taken by the assessors as in said act provided, or such as shall produce a certificate under the hands of the minister, and of two principal members of such Church, setting forth that they conscientiously believe such person or persons to be of their persuasion, and that he or they usually and frequently attend the public worship in such Church on Lord's days: And *be it further enacted*, that no *minister* nor the *members* of any Anabaptist Church as aforesaid, shall be esteemed qualified to give such certificate as aforesaid other than such as shall have obtained *from three other churches* commonly called Anabaptists, in this or the neighboring Provinces, a certificate from *each respectively*, that they esteem such church to be one of their denomination, and that they conscientiously believe them to be Anabaptists, the several certificates aforesaid to be lodged with the town clerk where the Anabaptist (desiring such exemption) dwells, sometime betwixt the raising or granting of the tax and the assessment of the same on the inhabitants. This act to continue to be in force for five years from the publication thereof and no longer."

This truly strange sort of an act, your remonstrants have herein as above transcribed at large as it stands, and present the same in open view to your Excellency and this Honorable Court with all respectful modesty and deference, craving leave to observe that as there is no legislative power or authority whatsoever existing in this his Majesty's Province of the Massachusetts Bay but what stands subjected and amenable to a much higher tribunal at home, and whereas, there seems to be a great probability

from the continued ill-treatment which our ancestors and we of the Baptist Persuasion, now surviving, have undergone in this Province, and the same ill spirit being at this day in many towns too predominant, that our just complaints thereupon (unless fully redressed here) must of course be sent home.

For these reasons therefore we humbly pray of your Excellency and this Honorable Court that your memorialists may not be looked upon in a culpable light when we complain and remonstrate, with all just freedom and openness of mind becoming Freemen, good Protestants, and loyal subjects of his Majesty, against the said act passed by the said Lieut. Governor, Council, and House of Representatives, as being contrary to the liberty of conscience granted us by the royal charter aforesaid, and repugnant to the laws of England, and which hath, as far as therein lay, disfranchised, unchurched, and usurped an illegal power over, all the religious Societies of the people in the said act called Anabaptists, throughout this his Majesty's Province of the Massachusetts Bay, and moreover, subjected each and every Anabaptist Church in the Province in a very unreasonable and unheard of manner to a new sort of Spiritual Court, consisting at least of three other Anabaptist Churches, as the acts call them, to give each of them a certificate respectively,—and for what? —why, truly that an Anabaptist Church is truly an Anabaptist, so that, indeed, it is necessary by this act the four Anabaptist churches must be co-operating together in this jumbled decision. But may it please your Excellency and Honors, when is it possible for the poor Anabaptists to find in this or the neighboring Provinces, or indeed *in all the world*, the first three authenticated Anabaptist Ministers and Churches to certify and authenticate the first three? Over and above the obvious absurdities in this unreasonable act, the severity thereof is remarkable in exposing of our said brethren to the loss of so much time, and the considerable charge and expense which necessarily must arise in journeyings to and fro in this Province and the neighboring Provinces in pursuit of such chimerical certificates utterly impossible to be obtained.[1]

[1] A few days after the Baptist church in Haverhill was organized, in May, 1765, its pastor, Hezekiah Smith, set out for Boston, Middlebor

Always, heretofore, until such time as this famous act was made, the people commonly called Anabaptists, in all places where they reside, as well in this Province as everywhere else, were looked upon as such by professing themselves to be of that persuasion, and by their usually and frequently attending the worship of God with the people of that denomination when opportunity so presented, as also by their distinguishing characteristic of immersing or dipping the person baptized in water. And the assessors in every town where such Anabaptists dwell were expressly ordered, as aforesaid, to take a list of all such persons that they might be exempted accordingly (without their being drove about, either in the Province or out of it, to hunt for certificates); and of the repeated omission of the assessors in doing their duty herein as the acts directed, we have, as herein-

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ough, and Warren, to get for his church the certificates as above required. His diary has the following record of his return: "We went from Warren [where he also obtained an extra certificate from brethren of a Newport Church, who happened to be in the place] to the Rev. Backus, in Middleborough, and I preached a sermon in his meeting house from 'Even so. . . Amen.' Several were much affected. We got a certificate from that Church to the Haverhill Church, and then we went off to Boston," where he obtained two more certificates, thus making five in all. There was need of haste in this certificate business, for the first parish had determined at this time to build a new meeting-house at an expense of three hundred pounds, and Baptists, with others, were taxed to pay this amount. The wealthiest man in town, Mr. John White, a merchant, though not belonging to the church, was an active member of the Baptist society, and a certificate duly signed was handed in stating, in the words of the law, that he and another person mentioned, were believed to be "conscientiously of our persuasion, and that they do frequently and usually attend public worship with us on the Lord's days." Mr. White, refusing to pay the tax, sued the assessors for seizing his goods. His case was brought to trial, was carried up from one court to another, and was finally decided against him on the ground of an alleged ambiguity in the law—whether it referred to a baptized member of the church or to a stated worshiper, or to both—and the affair cost Mr. White about eighty pounds. For an account of the bitter, shameful persecutions of Elder Smith and certain members of his church, see Backus' "History," and Guild's "Chaplain Smith and the Baptists."

before observed, often complained, but to no effect. For which reasons (and many others might be offered) the said people, called Anabaptists, ought not to be exposed as abovesaid, to such unreasonable difficulties, costs, loss of time, and damages, which this violent act subjects them to. And what still adds an aggravation hereto is the further contemplation that his Honor, the Lieut. Governor, the Council, and the House of Representatives that made this act, were almost all, if not every one of them, Dissenters themselves from the Church of England, as well as the poor Anabaptists against whom this act so sorely militates, and which hath effectually, though covertly, revoked, repealed, and made void the ten years' revival of the act made for our relief and exemption as aforesaid, and in lieu thereof set up an Inquisition in this Province among his Majesty's Protestant subjects called Anabaptists, which our said constituents and your memorialists are fully determined, at all events, never to submit to. It is well known that his Majesty expecteth, as the charter plainly points out and expressly declareth, that all his loving subjects of every Denomination of Protestants in this Province shall have liberty of conscience and be religiously, peaceably, and civilly governed, protected, and defended, that so the Indian natives may be won to the Christian Faith. But is this indeed liberty of conscience for one great party of Protestant Dissenters of this Province, commonly called Congregationalists, violently to lay hold of a much less and more feeble party of their fellow Dissenters in this Province commonly called Anabaptists, standing upon an equal level in the Royal Act of Indulgence with the other Protestant Dissenters, and forcibly to compel the said Anabaptists to pay ministerial rates and taxes against their consciences too—Dissenting ministers of quite another denomination and on whose ecclesiastical administrations our said brethren do not attend, and such their just and reasonable refusal to pay such ministerial rates, to be harassed, impoverished, imprisoned, and their estates crumbled and distrained away from them, as very lately and notoriously has been the distressed case of several of our brethren in the County of Worcester (more especially in the towns of Upton and Sturbridge to a surprising degree), and are such proceedings as these the

blessed effects of being "religiously, peaceably, and civilly governed, protected, and defended," and can a sight of such avaricious transgression be the likely means to "win over the Indian natives to the Christian religion"?[1]

Your memorialists, may it please your Excellency and this Honorable Court, are ordered by their said brethren and constituents in a serious manner to remonstrate against this last mentioned act as a manifest infringement upon the natural and religious rights of the said people therein called Anabaptists, and further to remonstrate and complain against all and every other act and acts whatsoever heretofore made in this his Majesty's Province of the Massachusetts Bay, wherein the said people called Anabaptists were enforced or in any other shape compelled to pay such ministerial rates aforesaid, inasmuch as all such payments are contrary to their consciences, and that all such acts intended to force and compel them thereto are contrary to the liberty of conscience to them so freely held forth in the Royal Charter, and unto them given and granted as extensively and upon as good a footing without reserve as to any other, all or either of his Majesty's Protestant subjects of this Province whomsoever, and that therefore the said people commonly called Anabaptists in this Province are, and ought to be, by the said Royal Charter, in all points of a religious nature, equally as independent and free from all spiritual subordination and ghostly subjection to any other Denomination or Denomina-

[1] "Even Boston gaol, it seems, unhappily begins anew to be the receptacle for such of the country Baptists as refuse to pay ministerial rates. An ancient man, named Eleazer Adams, a substantial freeholder of Medway, a constant attender and for several years past, at the Baptist meeting at Bellingham, was brought away from his own house, 27 miles distance, and committed close prisoner in said gaol the 10th of April last; and not long before another man, named Jesse Holbrook, of Bellingham, a constant worshipper with said Baptists, was committed to Boston gaol for the ministers' rate of Wrentham, all bail being refused."

At a later point we may refer to the oppressions in Sturbridge. At Upton several cows were taken from different individuals for ministers' rates, and in March, 1753, the pastor, Abraham Bloss, afterward of Attleborough, was confined forty days in jail for a tax to the minister.

tions of Protestant Dissenters of this Province, as they or either of the said Denominations are and ought to be free and independent in religious matters from the people called Anabaptists. From hence your remonstrants, with all just deference, apprehend it of course followeth that however large or numerous one Denomination of Protestant Dissenters in this Province may increase in people, and thereby become above another Denomination, even to be so numerous as to gain such an ascendant as to make up the whole legislative power in all its parts, yet, nevertheless, such Denomination as last mentioned derives not therefrom any authority whereby to make any act or acts whatsoever to oppress, afflict, or unjustly subordinate the less or more feeble Denominations of his Majesty's Protestant subjects of this Province in matters of religion and conscience. And were it indeed the case that such an act or acts as last mentioned may have heretofore been made in this province and sent home for the Royal Approbation and not disapproved in three years, it avails not the least in this case, nor is any strength, force, or efficacy whatsoever thereby added to such act or acts, they being contrary to the charter as aforesaid, and repugnant to the laws of England. And in point of law (as your memorialists are informed) such repugnant act or acts never had nor can have any existence unless the Charter were invalid.

We humbly crave your Excellency's indulgence and this Honorable Court's favorable goodness for extending this our memorial and remonstrance to such an unusual length, made so by the long-continued oppressions productive thereof, further humbly praying that the said act passed by the Lieut. Governor, Council, and House of Representatives may be repealed, and that an act may be made and passed totally and forever to exempt the said people commonly called Anabaptists, and every of them within this his Majesty's Province of the Massachusetts Bay, from paying any ministerial rates, taxes, or assessments whatsoever, and that such person or persons professing himself or themselves to be of that persuasion commonly called Anabaptists, may be deemed so accordingly without further harassment or vexation, and that all such persons within this Province, commonly called Anabaptists, that have at any time within the

space of five years last past had their bodies imprisoned for ministerial rates, or their estates, goods and chattels distrained therefor, may be honestly refunded their just damages. Such an act as this will manifestly display the disposition of the Government of the Province to be honorable, upright, and impartial; will silence the cries of the oppressed; will put a stop to such grievances as in default thereof will necessarily be laid before his Majesty; will be a further means of increasing the strength of this Province by bringing in inhabitants from abroad, and keeping others already here from moving out, and will, with all becoming thankfulness be received by the said people commonly called Anabaptists, among which number are included your memorialists and remonstrants as aforesaid, who, as in duty bound, will ever pray, &c. Signed by the Committee, Boston, March 27, 1754.

The action of the Court on the above is as follows:

In Council June 5, 1754, Read; and forasmuch as this Petition contains several indecent reflections on the Laws and Legislature of this Province, therefore Ordered that it be dismissed.

This disappointing result led Mr. Proctor to make the following explanation and additional appeal:

On Oct. 23, 1754, the Memorial and Petition of John Proctor, agent in behalf of several Societies of the people called Baptists, inhabitants within the said Province, humbly sheweth, That on the 29th day of May last, a Memorial and Remonstrance, drawn by order of the said people and signed by a Committee appointed for that purpose, was humbly presented in order to be laid before your Excellency, the Council, and House of Representatives, but so indeed it eventually occurred that the said Memorial was not sent down to the Honorable House of Representatives but was read and passed upon in Council as followeth. . .

The sentiments of the Honorable Council and their result consequent thereupon have given rise to this present exposition of

the true intentions of the said people, called Baptists, as contained in their Memorial and Remonstrance abovesaid, and your Petitioner in his said capacity is directed by his constituents with the greatest deference humbly to suggest and assure your Excellency and Honours that nothing in the world could be more averse and foreign to the real intention of the said people and their Committee than to offer the least indignity or indecent reflections on the just laws and Legislature of this Province; and that in truth there was no perverseness of heart nor malevolence of will operating in anywise whatsoever against the government. Your Memorialist, therefore, humbly supplicates that the former sentiments of the Honorable Council to dismiss the said Petition may subside, and that your Excellency and this Honourable Court would be pleased that the Memorial and Remonstrance aforesaid may be revived and the subject matter therein complained of be committed to the mature consideration of the whole Court for the reasons therein mentioned.

And your Petitioner as in duty bound, will ever pray.

JOHN PROCTOR.

In Council, Oct. 26, 1754, Read and dismissed—Sent down for concurrence.

In the House of Representatives, Nov. 13, 1754, Read and concurred.

The whole of the above remonstrance is printed, *verbatim et literatim*, in Vol. IV. of Hon. Ellis Ames' "Acts and Resolves of the Province of Massachusetts Bay," and the original may be seen in Vol. XIII., p. 496, *et seq.*, of the State Archives.

A law similar to that of 1753, and equally burdensome, was passed in 1757, by which no Baptists were to be exempted:

But such whose names shall be contained in a list or lists to be taken and exhibited . . . on or before the 20th of July, annually, to the assessors of such town, district, precinct, or parish, and signed by three principal members of the Anabap-

tist Church to which he or they belong, and the minister thereof, if any there be, who shall therein Certify that the persons whose names are inserted in the said list or lists are really belonging thereto, and that they verily believe them to be conscientiously of their persuasion, and that they do frequently and usually attend the public worship in such Church on the Lord's Day.

This law, which had reference to the Quakers also, was continued in force thirteen years, till February, 1771, and, "No tongue or pen," says Backus, "can fully describe all the evils that were practised under it."[1] In November, 1770, a new law was framed in which the title, *Anti-pedobaptists* was substituted for *Anabaptists*, and the word *congregation* for *church*. Certificates were to be signed by three or more principal members, and the minister, if there be any. "The parishes," as Backus states it, "were empowered to vote the Baptists clear, if they pleased, without certificates. But the word *Conscientiously* was still retained, and the certificates were required to be given in annually [September first] to parish assessors." As late as 1786 a law was made confounding ministerial and civil taxes to-

[1] On July 7, 1759, the following notice was posted up in Middleborough:

"Whereas, By a late law of this Province, it is enacted that a list of names of those who belong to each Baptist Society must be taken each year and given to the Assessors before the 20th of July or else they will stand liable to be rated to the ministers where they live; therefore this is to notify all who belong to the Baptist Society who usually meet for public worship in this place, that a meeting is appointed by the Committee to be at our meeting-house on Monday the 16th instant at two of the clock in the afternoon, for each one that is seriously of our persuasion to appear in order that a list may be taken agreeable to said acts, and also to consider of other things which may be judged proper for the welfare of the Society." "July 16, 1759, a list of 52 names were given in."—*Backus' Ms.*

gether, and so the contest went on. To say nothing of other difficulties, our Baptist fathers could not, of course, conscientiously call themselves or their friends anabaptists, or rebaptizers, since they held their infant baptism or sprinkling to be but a nullity. It will thus be seen that these laws were oppressive and humiliating in a high degree, and Backus, Manning, Smith, Stillman, and others, fought against them as long as they lived.

As the different exemption laws of Massachusetts have passed before us in review, we may here briefly notice some of the ecclesiastical laws of Connecticut, and their working—that State having been settled chiefly by Puritan emigrants from Massachusetts. In 1708 the Saybrook Platform was adopted, which made provision for a "Consociation" of neighboring churches that resembled in some respects the modern "Presbytery," and was thought by many to be a serious infringement on the independence and liberty of the churches and of individual members. Joseph Backus, grandfather of Isaac, was strongly opposed to this scheme. He finally withdrew from the Consociated Church, and for this act was expelled from the legislature. In 1727 a law was enacted, favoring the Episcopalians, and in October, 1729, the Assembly "passed an act to allow the Baptists the same privileges as were granted the Quakers the May before; both of them being perpetual laws, and not such temporary acts as the Massachusetts have perplexed themselves and others with" (Backus). Those who desired exemption from paying ministerial rates were required to produce "certificates," etc., as in Massachusetts.

The following, which is an "exact coppie of ye petition sent to ye Honourable General Assembly of Connecticut," may have had something to do with procuring for the Baptists the exemption act of 1729. We extract it from the "Diary of John Comer":

To the Honourable General Assembly of ye Colony of Connecticut to be convened at New Haven on ye second Thursday of October next. The humble Memorial of ye General Association of ye Baptist Churches convened at North Kingston on ye 6th day of September, A. D. 1729, humbly showeth, That yr Honours' Petitioners having sundry Brethren of their Communion dwelling up and down in your Colony, they therefore do hereby humbly crave yt an Act of Assembly may be passed to free them from paying any taxes to any ministry except their own, and from building any meeting-houses except for their own use, humbly hoping your Honours will consider they are utterly unable to maintain their own way of worship and to pay taxes also to ye Presbyterians, and yt the gracious act of indulgence together with the reasonableness of our request will be motive sufficient to move yr Honours to grant ye request of yr Honours' humble Memorialists. "Signed in ye name and by ye order of the sd Association, by Elders Richard Sweet, Valentine Wightman, Samuel Fisk, John Comer, Pardon Tillinghast."

In connection with this was sent another petition signed at Newport, September 10, 1729, by Governor Joseph Jenks, Elders James Clarke and Daniel Wightman, and two brethren, which petition reads as follows:

To the Honorable General Assembly of ye Colony of Connecticut to be convened at New Haven on ye 2nd Thursday of October next, these lines may signifie yt we ye subscribers do heartily concur with ye Memorial of our Brethren on ye other side and humbly request ye same may be granted, which we think will much tend to Christian unity and be serviceable to

true religion, and will very much rejoice your Honours' friends and very humble servants. . .

There was drawn from ye Treasury of ye church at Newport 40s. towards defraying ye Charges in preferring ye Petition.

During the time of the Great Awakening, in 1742, an act was passed which deprived a settled minister of his salary if he preached in another parish without invitation or consent of the parish minister. And every offender, not an inhabitant within the colony, whether an ordained minister or only an exhorter, shall be sent as a vagrant person out of the bounds of the colony as being not only a disorderly person, but guilty of a crime. This law of course had special reference to Whitefield and his fellow-laborers. Benedict states that an itinerant Baptist preacher, Rev. Mr. Marshall, was put in the stocks on a warm summer day, for aggression on parish lines, and was imprisoned in Windham jail "for preaching the gospel contrary to the law." In 1747 Rev. Philemon Robbins, who by request preached to a Baptist society, was for this offense excluded from the Consociation, deposed from the ministry and from communion in any of the churches "until he shall have in a public and Christian manner reflected on himself for his crimes and faults to the satisfaction of the Consociation of the county of New Haven." This virtually is the confession they drew up for him, but which he refused to sign: "I, the subscriber, acknowledge that I am sorry I preached disorderly at Wallingford [to the Baptists], and prayed at the separation at New Haven, and promise not to do so again."

In after years the first exempting acts were broad-

ened so that all dissenters could be exempted, provided they *ordinarily* attended meetings in their respective societies and paid their due proportion, etc. Some Baptists in Stafford joined a church in Wellington, but on account of the distance and roughness of the way could not attend as often as they wished, or the law required. In suing for their goods, which had been distrained from them, the counsel urged in their behalf that they were Baptists sentimentally, practically, and legally. Against them it was urged that they were amenable to the law, since they did not ordinarily attend their own meeting. The sympathies of the judge, who was an Episcopalian, were evidently on the side of the plaintiffs, and so he propounded the inquiry, how long a man who was a Baptist *sentimentally*, *practically*, and *legally*, must stay at home to become a Presbyterian? The Baptists won their case.

Like the other colonies, Connecticut early passed a law inflicting on those who neglected the public worship of God in some lawful congregation, and formed themselves into separate companies in private houses, a fine of twenty shillings for every such offense. Imprisonment, of course, in many cases, followed the nonpayment of fines. In February, 1744, seventeen persons, belonging in Saybrook, were arrested for "holding a meeting contrary to the law on God's holy Sabbath," and they were driven on foot twenty-five miles to New London, and were put in jail, suffering from weariness, want of food, and fire. One of these persons, Mr. Job Bulkley, at whose house the meeting was held, was an unconverted man; but witnessing the faith, fortitude, and Christian spirit of these disciples he gave

himself to the Lord Jesus Christ in the jail, and when the church was constituted, his name headed the list of members. Another of those arrested and taken to prison was a woman with an infant in her arms.[1] In 1752 the widowed mother of Isaac Backus, being a separatist, was imprisoned for thirteen days, taken from her home in Norwich when sick, on a dark and rainy night, seventeen miles to New London jail. She was released by some one to her unknown. His brother Samuel lay in prison twenty days. In 1784 all dissenters had still to "produce certificates" signed by the minister or other officer of their order. And "all persons shall be taxed for the support of the ministry and other charges of the society wherein they dwell, who do not attend and help support other worship." By a law of 1791, the certificate to be legal had to be approbated by one or more justices of the peace.

The following is one of the old forms of "Levy," dated Windham, September 12, 1794:

To Samuel Perkins, a Collector of Society Taxes in the first Society of Windham:

Greeting: By authority of the State of Connecticut, you are hereby commanded forthwith to levy and collect of the persons named in the foregoing list herewith committed to you, each one his several proportion as therein set down, of the sum total of such list, being a rate agreed upon by the inhabitants of said Society, and to deliver and pay over the sums which you shall collect to the Treasurer of said Society within sixty days next coming; and if any person shall neglect or refuse to pay the sum at which he is assessed, you are hereby commanded to distrain the goods,

[1] From Dr. S. D. Phelps' letter in "The Watchman," 1894, on the one hundred and fiftieth anniversary of the Baptist Church in Saybrook.

chattels, or lands of such person so refusing; and the same being disposed of as the law directs, return the overplus, if any, to the respective owners; and for want of such goods, chattels, or lands whereon to make distress, you are to take the body or bodies of the persons so refusing, and them commit to the keeper of the gaol in said County of Windham within the prison, who is hereby commanded to receive and safe keep them until they pay and satisfy the aforesaid sums at which they are respectively assessed, together with your fees, unless said assessment, or any part thereof, be legally abated.

JABEZ CLARK, Just. Peace.

In 1818 the new constitution put an end to all this oppression, and the Baptist pastor of Suffield, Rev. Asahel Morse, had the honor of penning the article which at last secured religious liberty.

II. THE FOUNDING OF THE WARREN ASSOCIATION AND THE COMMITTEE OF GRIEVANCES.

An important movement in the struggle for religious liberty was the forming of the "Warren Association" of Baptist churches in 1767, the Rev. James Manning, the pastor of the Warren Church and president of Rhode Island College, being the leader in this movement.[1] Eleven Baptist churches were represented at its first meeting; but four only, the Warren, Haverhill, Bellingham, and Second Middleborough ventured to try the experiment. Others were generally friendly to the movement; but had some fears that it might interfere with church independence. At the Association

[1] For some of the opposition which the Rhode Island College and Manning, as its president, had to encounter, see Dr. R. A. Guild's "Manning and Brown University," and more briefly in Dr. H. S. Burrage's "History of Baptists in New England," Am. Bap. Pub. Soc., 1894.

meeting in 1769, for the third time in Warren, and continuing as appears then to have been the custom, parts of three days, "many letters from the churches mentioned grievous oppressions and persecutions from the Standing Order; especially the one from Ashfield, where religious tyranny had been carried to great lengths." In view of these oppressions and of the disregard of humble remonstrances and petitions, it was resolved "to inform all the oppressed Baptists in New England that the Association of Warren—in conjunction with the Western or Philadelphia Association—is determined to seek remedy for their brethren where a speedy and effectual one may be had." Accordingly "they made choice of agents and a Committee for the purpose; and wrote to their Southern brethren for assistance in the design." They caused petitions to be sent to the legislatures of Massachusetts and Connecticut, and chose as a committee to seek redress of grievances: Revs. Samuel Stillman, of Boston; Hezekiah Smith, of Haverhill; Isaac Backus, of Middleborough; Richard Montague, of Sunderland; Joseph Meacham, of Enfield, Ct. (who afterward joined the Shakers); and Timothy Wightman, of Groton, Ct. The annual appointment of a like committee did not cease until thirty-six years after this date. In a circular letter, as recorded in Dr. Hovey's "Memoir of Backus," President Manning, in addressing the oppressed, says:

> Brethren, we sympathize with you under your afflictions, while we call to mind the declaration of your ascended Head to his beloved flock whom he left behind: In the world ye shall have tribulation. . . Suffer us, however, to beseech you to use all proper means to obtain relief from the burdens imposed upon

you, by taking heed to the general plan which we as a body propose to pursue.

In August of next year, 1770, this "Committee of Grievances" issued the following notice in the Boston "Evening Post":

To the Baptists in the Province of the Massachusetts Bay who are or have been oppressed in any way on a religious account: It would be needless to tell you that you have long felt the effects of the laws by which the religion of the government in which you live is established. Your purses have felt the burden of ministerial rates, and when these would not satisfy your enemies, your property hath been taken from you and sold for less than half its value. These things you cannot forget. You will therefore readily hear and attend when you are desired to collect your cases of sufferings and have them well attested; such as the taxes you have paid to build meeting-houses, to settle ministers and support them, with all the time, money, and labor you have lost in waiting on Courts, feeing lawyers, etc.; and bring or send such cases to the Baptist Association to be held at Bellingham, when measures will be resolutely adopted for obtaining redress from another quarter than that to which repeated application hath been made unsuccessfully. Nay, complaints however just and grievous have been treated with indifference and scarcely, if at all, credited. We deem this, our conduct, perfectly justifiable, and hope you will pay a particular regard to this desire, and be exact in your accounts of your sufferings, and punctual in your attendance at the time and place mentioned.

At the Association held in Bellingham, Sept. 11, 12, 1770, they chose another Committee of Grievances consisting of Rev. Samuel Stillman, Rev. Hezekiah Smith, Rev. John Davis, Rev. Isaac Backus, Rev. Noah Alden, Philip Freeman, Philip Freeman, Jr., Nathan Plimpton, and Richard Gridley, and also "agreed to send to the Swanzey [?] and Philadelphia

Associations, to request them to assist us by money and advice." In the Minutes of 1776, we notice an acknowledgment of "monies received from our brethren at Philadelphia and elsewhere for sufferers among us, twelve pounds." We presume there may have been other and earlier benefactions from that source which are not recorded or which we have not seen. In this Circular Letter, President Manning says:

> We have to inform you, dearly beloved, that some of our churches are sorely oppressed on account of religion. Their enemies continue to triumph over them; and as repeated applications have been made to the Court of Justice and to the General Courts for redress of such grievances, but as yet have been neglected, it is now become necessary to carry the affair to England in order to lay it before the King. It is therefore warmly recommended to you to endeavor to collect money to defray the expense which will arise from such a proceeding. Should you not contribute in this matter, some of our brethren must unavoidably be ruined as to this world; specially our brethren at Ashfield, some of whose lands have been taken from them and sold for a trifle. Brethren, make the case your own, and then do as you would be done by.

Before the close of 1770 the above-named committee sent to the General Court a petition having special reference to the oppression of Baptists in Ashfield. In this petition, which is printed in full in Dr. Hovey's "Memoir of Backus," pp. 177–180, they state that:

> Three hundred and ninety-eight acres of our land have been sold to build and remove and repair a meeting-house in which we have no part, though our money helped to build it, and to settle and support a minister whom we cannot hear. The lands were valued at three hundred and sixty-three pounds, thirteen shillings, lawful money, and were sold for nineteen pounds,

three shillings; so that our loss is three hundred and forty-four pounds, fifteen shillings, lawful money. Part of the lands aforesaid belonged to Rev. Ebenezer Smith, a regular ordained Baptist minister, who, together with his father and others, their brethren, in the last Indian war, built at their own expense a fort and were a Frontier; and this they did for two years without any help from any quarter, for which we beg leave to say they deserve at least the common privilege of the subjects of the Crown of England. Part of said lands had been laid out for a burying place, and so they have taken from us our dead. They have also sold a dwelling-house and orchard, and pulled up our apple trees, and thrown down our fences, and made our fields waste places.[1]

They close their petition by making three requests, as follows:

(1) To repeal a law, entitled "An Act for erecting the New Plantation called Huntstown, in the County of Hampshire, into a town by the name of Ashfield," and restore to the Baptists in said town the lands which have been taken from them to support the minister settled by law, and give them damages for the many and great injuries they have been made to suffer.

(2) To enable our brethren in different parts of the province to recover damages for the losses they have been made to sustain on a religious account.

(3) To grant perpetual exemption to all Baptists and their congregations from all ministerial rates whatsoever, according to the full intent and meaning of the Charter of the Province, that we all may enjoy full liberty of conscience as others, his Majesty's subjects, in this province. And also to disannul all such rates

[1] Some notice of the labors and sufferings of Elder Smith's father, Mr. Chileab Smith, is given in Backus' "History." He was the great grandfather of the renowned teacher, Mary Lyon; and so far forth his wonted prayers for his "posterity to the latest generation" were assuredly answered. It is stated that he accompanied Elder Backus to Philadelphia to testify, if need be, of the oppressions at Ashfield.

laid heretofore on any of our people in this Government. And your petitioners as in duty bound will ever pray.

Signed in behalf of the whole Committee,

SAMUEL STILLMAN,
HEZEKIAH SMITH,
JOHN DAVIS.

At the Association referred to, Hezekiah Smith was chosen Agent to the Court of Great Britain to act in conjunction with Rev. Samuel Stennett, Rev. Benjamin Wallin, and Thomas Llewelyn, LL. D., of London. In the Minutes for 1773, these English brethren say, in response, that they "will cheerfully unite in every measure that may from time to time be thought right and prudent to promote the cause of truth and liberty in general, and that of our denomination in particular." Mr. Smith declined the above agency, but the English brethren, of whom Dr. Stennett acted the most efficient part, laid the Ashfield matter before the Court of St. James, whereupon "his Majesty was pleased with the advice of his Privy Council to declare his disallowance of the said Act [incorporating the town of Ashfield], and to order that the said Act be and it is hereby disallowed and rejected. Whereof the Governor, Lieutenant Governor, or Commander in Chief of his Majesty's said Province of the Massachusetts Bay for the time being, and all others whom it may concern, are to take notice and govern themselves accordingly." Thus help for the Ashfield Baptists came at last—and from abroad!

III. THE APPOINTMENT OF AN AGENT FOR THE BAPTIST CHURCHES.

Mr. Smith, as we have seen, declined the special agency intrusted to him, and so the Association meet-

ing at Sutton, in 1771, appointed Rev. John Davis, pastor of the Second Baptist Church in Boston, "as their agent, to use his best endeavours, by the advice of their Committee, in concert with their agents in London, to obtain the establishment of equal religious liberty in this land." Mr. Davis' health soon failed, and he died December, 1772, in the thirty-sixth year of his age. The "scurrilous treatment from the press," which he incurred through his efficiency and faithfulness as clerk of the Committee of Grievances, is referred to in Backus' "History," Vol. II., 157, 176. In September of this year, 1772, Elder Isaac Backus was chosen in Mr. Davis' place as agent for the Baptist churches "to transact their affairs the year ensuing, both in this country and with our agents in London," with the advice of the committee as previously appointed. As agent for the churches some ten years, and as a member of the Committee of Grievances, he wrote numerous articles for the newspapers, also special appeals or addresses, as for example, to the People of New England; to the Public for Religious Liberty against the Oppressions of the Present Day; to the Baptist Churches throughout the Land; to the General Court of Massachusetts; to the Continental Congress at Philadelphia; to the Provincial Congress of Massachusetts; to the Convention for framing a State Constitution. He was also chosen delegate in 1787 to act in the matter of ratifying the new Constitution of the United States of America. On Backus' action in regard to this last-named matter, see Appendix E.

Dr. Burrage thus speaks of the services of Isaac Backus, the "Agent of Liberty":

For his long-continued and unwearied labors in securing religious liberty, Isaac Backus deserves to be held in lasting remembrance. He did not live to witness the fulfillment of his hopes; but the value of his heroic services is recognized more and more, and recently a worthy memorial, dedicated June 30, 1893, has replaced at his grave in Middleboro, Mass., the earlier monument, which bore only his name and the date of his birth and death.

We may remark that a second stone, which will probably form a tablet in the walls of the new "Backus Memorial Church," contains an extended epitaph which may be seen in Dr. Hovey's "Life of Backus," p. 311. The present monument is made of the best Westerly granite in the form of an old-fashioned pulpit, having a bronze tablet with inscription in front, and an open bronze Bible on the desk, the whole with platform costing about $800. In form and general characteristics it closely resembles the one erected in Groton, Ct., 1890, to the memory of Valentine Wightman, the pioneer advocate of religious liberty in Connecticut. The inscription on the Backus monument reads as follows:

ELDER ISAAC BACKUS, A. M.

A pioneer Champion of
Religious Liberty, and the earliest
Baptist Historian in America.
Born 1724, died 1806, in the 59th
Year of his ministry in this Precinct.
Erected by a grateful people,
A. D. 1893.[1]

[1] Rhode Island, as is well known, has a monument to religious liberty as well as Massachusetts and Connecticut, and, indeed, set these two States the example. Miss Betsey Williams, Roger's great great-granddaughter, bequeathed to the City of Providence a tract of land near the

Of his labors as a historian Dr. Hovey says:

His volumes are a full storehouse of events indispensable to every one who would understand the true history of New England. But, to those of his own religious faith, they are specially interesting; for they furnish almost the only memorials which have come down to us, of the piety, consistency, and sometimes heroism, of brethren who lived in a darker period, and suffered long to obtain the freedom we now enjoy.

Bancroft speaks of him as "one of the most exact of our New England historians," and he greatly compliments him and other historians from among the Baptists, when, in a letter to Dr. R. A. Guild, he says: "I look always to a Baptist historian for the ingenuousness, clear discernment, and determined accuracy, which form the glory of their great historian, Backus." May all our Baptist historians in all coming time be worthy of such eulogy!

IV. REFUSAL TO GIVE IN CERTIFICATES.

On May 5, 1773, six members of the Advisory Committee met in Boston and agreed to send this circular to the churches:

city to be known as the Roger Williams Park,—land which the Narragansett Chiefs, Canonicus, and his ill-fated nephew, Miantonomo, deeded to Williams in consideration of his "many kindnesses and services," and which "was as much his as any man's coat on his back." On this spot of land, in Oct. 16, 1877, was dedicated a monument to Roger Williams, consisting of a bronze statue, seven and a half feet high, resting on a pedestal twenty-seven feet high. A picture of this statue, in which he is represented as clasping a book on "Soul-liberty" to his heart, forms the frontispiece to Dr. Cathcart's "Baptist Encyclopædia." So let the good work of commemorating our pioneer champions of religious liberty go on! The next statues or monuments to be erected, should, in my opinion, be located on the island "Aquedneck," in Narragansett Bay.

Beloved Friends :—These lines are to acquaint you that five of our Committee, appointed to care for and consult the general good of the Baptist churches in this country, especially as to their union and liberties, met with me at Boston, May 5, 1773, when we received accounts that several of our friends at Mendon have lately had their goods forcibly taken from them, for ministerial rates, and that three more of them at Chelmsford (two of whom were members of the Baptist church there) were seized for the same cause last Winter, and carried prisoners to Concord jail ; so that liberty of conscience, the greatest and most important article of all liberties, is evidently not allowed in this country, not even by the very men who are now making loud complaints of encroachments upon their own liberties. And as it appears to us clear that the root of all these difficulties and that which has done amazing mischief in our land is civil rulers assuming a power to make any laws to govern ecclesiastical affairs, or to use any force to support ministers ; therefore these are to desire you to consider whether it is not our duty to strike so directly at this root as to refuse any conformity to their laws about such affairs, even so much as giving any certificates to their Assessors. We are fully persuaded that if we were all united in bearing what others of our friends might for a little while suffer on this account, a less sum than has already been expended with lawyers and Courts on such accounts, would carry us through the trial, and if we should be enabled to treat our oppressors with a Christian temper, would make straining upon others, under pretense of supporting religion, appear so odious that they could not get along with it. We desire you would consider of these matters, and send in your mind at Medfield on the seventh of September next. . .

From yours in gospel bonds,

Isaac Backus, *Agent.*

At a meeting of the Association it was found that all the messengers were not of one mind in this matter, and so for two days "they stood against our coming to any vote upon it lest our want of union therein should

give an advantage to our adversaries." But on the third day,

Mr. Stillman, who had been against our coming to a vote, brought in the following paper, which was unanimously adopted:

(1) "That the mind of the Association respecting giving or not giving certificates, be taken by written vote, in order to confine the difference which subsists among us on this matter, in the Association.

(2) "That those Churches that agree to neglect the law for the future shall, in a spirit of meekness, plead as the reason, that they cannot in Conscience countenance any human laws that interfere in the management of the kingdom of Christ, which is not of this world.

(3) "That the Churches which think it expedient to give certificates for the present, be advised by letter how many are of a contrary mind, and be desired to consider the matter against the next Association, and to unite with their brethren if possible.

(4) "That the Churches allow each other entire liberty, without any hard thoughts one of another.

(5) "That all the Churches which shall be called to suffer through the year, shall transmit an account of such sufferings to their agent, to be made use of by him as may be thought best to subserve the common cause.

(6) "That our true state, with what we have transacted at this Association, be sent to our agents in England, and their opinion be requested by the next meeting of the Churches.

(7) "That if any are called to suffer, their sister churches be appealed to, to assist them in their trouble."

When we came to act upon these articles there appeared thirty-four elders and brethren against giving any more certificates, six for it, and three at a loss how to vote.

For myself I wonder that not more than three did not know how to act, and that no more than twice three did not vote in favor of this certificate business; for

well they knew that if they refused certificates and refused to pay the ministerial rates, seizure of their goods, or imprisonment, or both, would be sure to follow. The only explanation of their determination thus to resist as it were the authority of the government, is found in the fact, that having for so many years sought in every way, but in vain, to secure equal religious liberty, while at the same time living under a charter which guaranteed to the "loving subjects of his Majesty" exemption from "fines, forfeitures, or other incapacities," even to those who "do not agree in the Congregational way," they had reached the point of desperation, and could not but practically assert their religious independence.

At the Association Mr. Backus presented an "Appeal to the Public," a part of which he read to them. It was voted that it be examined by the Committee, and then published, which was afterward done in a pamphlet of sixty-two pages. In section third, he gives five reasons for refusing the giving of certificates:

(1) Because to give certificates implies an acknowledgment that the civil rulers have a right to set up one religious sect above another; which they have not.

(2) Because civil rulers are not representatives in religious matters, and therefore have no right to impose religious taxes.

(3) Because such a practice emboldens the actors therein to assume God's prerogative, and to judge the hearts of those who put not into their mouths.

(4) Because the church is presented as a chaste virgin to Christ, and to place her trust and love upon any others for temporal support, is playing the harlot, and so the way to destroy all religion. Hos. 2 : 5.

(5) Because the practice above-said tends to envy, hypocrisy, and confusion, and so to the ruin of civil society.

A Declaration of Religious Independence, truly! We may well imagine that it required not much less courage, nor was deserving of little less honor, to sign this than it did for some others to sign another "Declaration," some three years later.

As we have seen, some Baptists thought that Mr. Backus and his friends were going too far in the way of resistance, and were willing for the sake of peace to comply with existing laws. This was discouraging to the Baptist agent, for he felt that if all were united in refusing certificates and would suffer for a time the consequences, they would the sooner achieve their religious liberty. And so at a later date his feelings found utterance in these words:

> I should have fainted long ago had I not believed that wherein men dealt proudly, God was above them. And he fixed a persuasion on my soul that if we faithfully improved the advantage he gave us, rulers would be forced to give up their tyrannical power over the Church of God and the consciences of men. A large part of my good friends here rather wished than believed we should obtain so great a blessing, and therefore have often been clogs instead of helps in this great work. And my mistakes and imperfections in acting therein have been so many and great, that instead of wondering at others' fears at my attempts for liberty, I may well wonder that I was not confounded long ago. . . I speak before Him who will judge all; if a persuasion of duty has not been my greatest motive, I know not what has. Oh, that mine was more single therein!

As late as 1791 Mr. Backus was obliged to say: "I know not of one of our churches, especially in Massachusetts, which is entirely free of the evil of giving in a list of their Society to their oppressors."

V. THE BAPTIST AGENT'S MISSION TO THE FIRST CONTINENTAL CONGRESS.

Perhaps the most noted act of Isaac Backus, in his endeavors for religious freedom, was his going by special commission to Philadelphia, in 1774, to plead for religious liberty before the first Continental Congress. We quote the following as given in his Diary:

September 7. Went over to Providence to Commencement. Met with Mr. [John] Gano, of New York, and Mr. Wm. Van Horne, of South Hampton, in Pennsylvania. They, with Messrs. Manning and Hezekiah Smith, all were in earnest for me to go to the Association [in Medfield] and also to the Congress in Philadelphia, and represented that now was the most likely time to obtain our religious liberty that we had ever known. I had many objections against it, but when I awoke next morning the religious liberties of three Colonies or more appeared so weighty to my mind that, if I might do anything for their relief, I was made willing to do it and leave my private concerns to him that orders all things.

September 14. The Association were all unanimous that I should go to Philadelphia, and contributed £6. 10. 13/ towards it.

The Association gave to Mr. Backus the following certificate:

To the Honorable Delegates of the several Colonies in North America, met in a general Congress in Philadelphia:

HONORABLE GENTLEMEN: As the Anti-pedobaptist churches in New England are most heartily concerned for the preservation and defence of the rights and privileges of this country, and are deeply affected by the encroachments upon the same which have lately been made by the British Parliament, and are willing to unite with our dear countrymen vigorously to pursue every prudent measure for relief; so we would beg leave to say that as a distinct denomination of Protestants, we conceive that we

have an equal claim to charter rights with the rest of our fellow-subjects, and yet have long been denied the full and free enjoyment of those rights as to the support of religious worship. Therefore we, the Elders and brethren in twenty Baptist churches met in Association at Medfield, twenty miles from Boston, Sept. 14, 1774, have unanimously chosen and sent unto you the reverend and beloved Mr. Isaac Backus as our agent to lay our case in these respects before you, or otherwise to use all the prudent means he can for our relief.

JOHN GANO, Moderator.
HEZEKIAH SMITH, Clerk.

Mr. Backus, on arriving at Philadelphia, was soon joined by President Manning and others, and, upon consultation, it was deemed best to present his memorial or plea first before the Massachusetts Delegation. And so on the evening of October 14, there met at Carpenter's Hall, Thomas Cushing, Samuel Adams, John Adams, and Robert Treat Paine, Esqs., delegates from Massachusetts, also Stephen Hopkins and Samuel Ward, of Rhode Island, and many other distinguished members of the Congress, together with some prominent Quakers.

"The Conference," as Elder Backus writes, "was opened by Mr. Manning, who made a short speech, and then read the memorial which we had drawn up." From this memorial, which is given in full in Dr. Hovey's "Life of Backus," pp. 204–210, we extract the opening and closing sentences:

It has been said by a celebrated writer in politics that but two things were worth contending for—Religion and Liberty. For the latter we are at present nobly exerting ourselves through all this extensive continent; and surely no one whose bosom feels the patriotic glow in behalf of civil liberty can remain torpid to

the more ennobling flame of Religious Freedom. The free exercise of private judgment and the unalienable rights of conscience are of too high a rank and dignity to be subjected to the decrees of councils or the imperfect laws of fallible legislators. The merciful Father of mankind is the alone Lord of conscience. . . As the Kingdom of Christ is not of this world, and religion is a concern between God and the soul with which no human authority can intermeddle; consistently with the principles of Christianity and according to the dictates of Protestantism, we claim and expect the liberty of worshipping God according to our consciences, not being obliged to support a ministry we cannot attend, whilst we demean ourselves as faithful subjects. These we have an undoubted right to as men, as Christians, and by charter as inhabitants of Massachusetts Bay.

The conference, which was highly spirited, lasted about four hours, and "closed with their promising to do what they could for our relief; though, to deter us from thinking of their coming upon equal footing with us as to religion, John Adams at one time said we might as well expect a change in the solar system as to expect they would give up their establishment"—which establishment he nevertheless at one time affirmed was "but a very slender one, hardly to be called an establishment." Backus, in his manuscript "History of the Warren Association," says that "one of them plainly held forth at Philadelphia that they would sooner yield to the power of Britain than give up their power to support religious ministers by law," and again, that "one of them [probably the same John Adams throughout] pleaded *conscience* for supporting religious teachers by tax." Dr. Hovey remarks that "The language and bearing of the delegates from Massachusetts in this conference were such as to diminish greatly the value

of their closing promise." Certain it is that they promised far more than they ever sought to perform.

One good result of this agency mission was the appointment by the Philadelphia Baptist Association, then in session, of "a [very large] committee of grievances to correspond with ours in New England and to prosecute such measures for our relief as they should judge best" (Backus). This committee held a meeting the day after the conference, at which it was resolved, "That this Committee, not being satisfied with the declaration made last evening by the delegates from Massachusetts Bay, are determined to pursue every prudent measure to obtain a full and complete redress of all grievances for our brethren in New England." This resolution, as also a copy of Backus' "Memorial" and of his "Appeal to the Public," were placed in the hands of each delegate.[1]

The year 1774 was fruitful of appeals from the Baptist agent, and as it ended with one made to the Massachusetts Provincial Congress, which we shall presently notice, so it began with one addressed to the General Court. This letter was occasioned by the illegal imprisonment in Northampton jail of eighteen men of Warwick who belonged to the Baptist Society of Royalston; and the agent closes his petition with these words:

> This is therefore to beseech your Excellency and Honors, as guardians of the rights of your people, immediately to order these men to be set at liberty, and that reparation be made of the

[1] See more fully in Backus' "History," Vol. II., p. 200 seq., also his MS. "History of the Warren Association," and especially Dr. Hovey's "Life of Backus," pp. 201–13, 349–51.

damages they have sustained; and also to take some effectual methods, as in your wisdom you shall see fit, that for the future all persons within this Province who shall demean themselves as good members of civil society may not be despoiled of the aforesaid rights under a pretence of supporting religious worship; but that all persons who shall presume thus to encroach upon the rights of their neighbors may be punished according to the demerit of their crimes. And your petitioner, as in duty bound, will ever pray. ISAAC BACKUS.

MIDDLEBORO, Feb. 15, 1774.

On the first article of the above petition the majority of their "Honors" decided adversely, but upon the last "they framed," as Backus says, "an act more favorable than they had done before, which passed both houses; but the Court was prorogued so abruptly that it was not laid before the Governor; so that there is no act in force at all in the Province to exempt us from taxes to their ministers. But the more they stir about it the more light gains, so that my hope of deliverance in due time increases."

About a month prior to writing the above appeal, Mr. Backus sent a letter to the eminent patriot, Samuel Adams (a deacon of the Old South Church), of which the closing sentence thus reads:

I hope, sir, that you will give proof both to the Court and to the world that you regard the religious as well as the civil rights of your countrymen; that so a large number of as peaceable people and as hearty friends to their Country as any in the land, may not be forced to carry their complaints before those who would be glad to hear that the Legislature of Massachusetts deny to their fellow-servants that liberty which they so earnestly insist upon for themselves.

It were not strange if Mr. Backus was disappointed

at the stand which this gentleman took a few months later in Philadelphia.

Upon the return of the Massachusetts delegation to New England, one of them spread the report that Mr. Backus went to Philadelphia to prevent the Colonies from uniting in defense of their liberties, and that this attempt proceeded from the enemies of America. The proceedings of that conference were also grossly misrepresented.

VI. APPEAL TO THE MASSACHUSETTS PROVINCIAL CONGRESS.

In view of the injurious reports indicated in our last chapter, Mr. Backus, with the advice of the committee, drew up the following appeal—designing to show by the instances of oppression adduced, that others than "the enemies of America" had good and sufficient reasons to memorialize the Continental Congress:

To the honorable Congress of the Massachusetts province, convened at Cambridge, Nov. 22, 1774.[1]

HONORED GENTLEMEN:—At a time when all America are alarmed at the open and violent attempts that have been made against their liberties, it affords great cause of joy and thankfulness to see the colonies so happily united to defend their rights; and particularly that their late Continental Congress have been directed into measures so wise and salutary for obtaining relief and securing our future liberties; and who have wisely extended their regards to the rights and freedom of the poor Africans. Since then the law of equity has prevailed so far, we hope that it will move this honorable assembly to pay a just regard to their English neighbors and brethren at home. . . Civil rulers ought

[1] We give here but a part of the Petition. The whole is found in Dr. Hovey's "Life of Backus," pp. 215–221.

undoubtedly to be nursing fathers to the church, by reproof, exhortation, and their own good and liberal example, as well as to protect and defend her against injustice and oppression ; but the very notion of taxing all to support any religious denomination, tends to bias its professors against all such as dissent from it ; and so to deprive them of having unbiassed judges ; for every man knows that so much money as he can get from a neighbor to support his minister, so much he saves to himself. As we are fully persuaded that there is not a man in this honorable assembly, but what if he had suffered a quarter so much as many Baptists have from interested judges, would think it high time to be in earnest to have this pernicious evil removed. Two thousand dollars will not make good the damages the Baptists in this province have suffered on this account, within these twelve years, as we can make it appear by facts. . .

After the Baptists of Ashfield had regularly settled a minister, a Pedobaptist minister was brought in, and the Baptists were taxed to him five years ; and then they petitioned our Legislature for relief, who gave them encouragement of it, yet in a few days made a law that cut them off from any liberty on that account at all ; and they in time and money, spent fifty pounds lawful currency in petitioning for the removal of that burden, and could get no help. Then our united churches addressed the Court upon it ; but in a few days, a piece dated from the place where the Court was sitting, was published in the Boston newspapers, insinuating that the Baptists had complained without any reason. And when the worthy Mr. Davis (now at rest) answered it by reciting the fact of Ashfield, he was accused in a succeeding paper, as we have now been, of being an enemy to the colonies.[1] There being thus no hope of relief here, that Ashfield law was sent home [to England], and was disannulled by his majesty in Council. And from that and other evidence, we have reason to think that an ear was open there to hear our

[1] "There is a little upstart gentleman [Mr. Davis] lately settled in town, who calls himself a Baptist; and the youth discovers a most insufferable arrogance and self-sufficiency. . . I very much suspect that he is one of those deluded young men who are employed to defame and blacken the Colonies, and this town and province in particular."

further complaints; but we have never sent any other, as we would not injure the general cause; and hoped that at last our countrymen would be brought to regard our rights. But alas! the very laws that have been made about us, have proved to many to be only a snare to get away our money.

The Baptists at Montague took advice of a lawyer and endeavored to comply with your law, according to his direction; yet they were taxed and strained upon; they sued for relief in your courts which was so far from helping them that it took away one hundred and fifteen dollars more. The Baptists in Haverhill took the same method, but the case was turned against them which cost them about three hundred dollars. A Baptist church was regularly formed at Gorham, Me., in 1768, and Mr. Joseph Moody of Scarborough, a member of it, yearly had the same certified to the Assessors of his town, yet still he has been taxed and strained upon; and when he petitioned our Legislature last Winter for help, we are credibly informed that his petition was thrown out, because Mr. March, the representative from Scarborough, said: *There was no Baptist church in Gorham.*[1] The Baptists in Warwick complied with your law, yet were taxed to the parish minister, and for it eighteen of them were imprisoned about forty miles from home [in Northampton] in the extremity of last winter, and when our General Court were addressed upon it, they afforded no help. The Baptists in Chelmsford complied with your law, yet they were taxed; and three of them were imprisoned in January, 1773; and when they sued for recompense, their case was shifted off from Court to Court, till it has cost above a hundred dollars; and when the Superior Court at Charlestown, last April, were constrained to give Nathan Crosby

[1] Mr. Moody, from whom "a good riding beast" had been seized for a tax of about six dollars, presented to the Assembly, in Boston, in 1774, a petition of which the following is an extract: "As the case of your petitioner somewhat resembles the case of the poor man who, traveling from Jerusalem to Jericho, fell among evil men, your petitioner from principles of charity and equity, doth believe that you will not pass him by on the other side of the way, but with the good Samaritan, show pity, bind up his wounds, and set him up on his own beast, which has violently been taken away."

his case, as having been taxed and imprisoned unlawfully, yet they gave him but three pounds damages and costs of Court; and at the same time judged that the constable who carried him to prison should receive costs of Crosby for so doing.[1] If this is unbiassed judgment, we know not what bias means. Must we [be] blamed for not lying still and thus let our countrymen trample upon our rights, and deny us the very liberty that they are ready to take up arms to defend for themselves? You profess to exempt us from taxes to your worship, and yet tax us every year. Great complaints have been made about a tax which the British Parliament laid upon paper; but you require a paper tax of us annually. . . All America are alarmed at the tea tax, though if they please they can avoid it by not buying the tea; but we have no such liberty. We must either pay the little tax,[2] or else your people appear, even in this time of extremity, determined to lay the great one upon us. But these lines are to let you know that we are determined not to pay either of them; not only upon your principle of not being taxed where we are not represented, but also because we dare not render that homage to any earthly power which I and many of my brethren are fully convinced belongs only to God. We cannot give in the certificates you require without implicitly allowing to men that authority which we believe in our consciences belongs only to God. Here, therefore, we claim charter rights, liberty of conscience. And if any still deny it to us, they must answer it to him who has said "With what measure ye mete it shall be measured to you again."

If any ask what we would have, we answer: Only allow us

[1] Mr. Crosby, being sick when the officers came to take him, entreated them that he might remain till he should be better; but one of the company said that if they took him out and he died in their hands nobody would hurt them. As he left his wife and children in tears, some of the company told them he would be put in a room without fire where he would freeze to death. He and several others, one of whom was an old man about eighty-two years of age, were committed to Concord jail.

[2] The required annual certificate cost, as Backus says, "four pence of our money which is three pence sterling; the very tax upon a pound of tea that brought on the American war."

freely to enjoy the religious liberty that they do in Boston, and we ask no more.

We remain hearty friends to our country and ready to do all in our power for its general welfare.

ISAAC BACKUS.
Agent for the Baptist Churches in this Province.
By advice of their Committee.

BOSTON, Dec. 2, 1774.

After some smiling and considerable opposition the above petition was read in the provincial Congress, and, chiefly through the influence of John Adams, who "was apprehensive if they threw out the petition it might cause a division among the provinces," a committee was appointed which reported that they were no ecclesiastical court and had no business with the petition, yet recommended that "if the Baptists were oppressed they might apply to the General Court." Accordingly they passed a handsome resolution recommending

to the Baptist churches that, when a General Assembly shall be convened in this colony, they lay the real grievances of said churches before the same, when and where this petition will most certainly meet with all that attention due to a memorial of a denomination of Christians so well disposed to the public weal of their country.

By order of the Congress,

JOHN HANCOCK, President.

In reference to the loyalty of the Baptist denomination, Elder Backus, in his MS. "History of the Warren Association,"[1] remarks that "in the fall of the year 1778 the General Assembly of the Massachusetts passed an Act to exclude all men from returning into it who had gone off, whom they judged to be enemies of their

[1] See also his "History," Vol. II., p. 247.

country, and they named three hundred and eleven men as such, but did not find one Baptist among them." Washington, also, in his letter to the Committee of the United Baptists of Virginia, bears testimony to the fact that "the religious society of which you are members have been, throughout America, uniformly and almost unanimously the firm friends to civil liberty and the persevering promoters of our glorious Revolution." This patriotism on the part of the Baptist fathers is the more remarkable because, as a Pennsylvanian once wrote to Isaac Backus, they knew that were this country separated from England, the persecuted Americans could appeal no longer to the Crown for relief, but only "to their oppressors and accusers" at home.

We herewith give one or two instances of persecution other than those above mentioned:

In Sturbridge the Baptists were made to suffer severely, even after they had given in their certificates. Several of them were imprisoned at Worcester. A valuable cow was taken from one man for a tax of one pound, one shilling, and four pence; a yoke of oxen from another for a tax of less than five dollars. From different families the collectors took workmen's tools and household goods of every sort—skillets, kettles, pots, trammels, andirons, shovel and tongs, warming pans, pewter plates, spinning-wheels, and cradles. The collectors of that age seem to have been especially fond of pewter dishes. "They stripped the shelves of pewter, of such as had it."

In the "glorious revival year," 1780 (when more than fifteen hundred persons were baptized in Massachusetts), three members of the Baptist church in

Harvard were imprisoned in Worcester at great personal expense, "and no recompense was ever made therefor." Two or three years previously the pastor of this church, Dr. Isaiah Parker, and Elder Samuel Fletcher, of Chelmsford, were called to baptize at Pepperell, where, by the river's side, they and the blessed ordinance were treated with the utmost indignity. The facts as gathered by Elder Backus were subsequently published, which led to a protracted newspaper controversy, marked on one side at least, with no little scurrility. Shortly after this, Elder Backus was engaged in other bitter controversies, and in one of the reviling pieces which were published in the Boston papers against him, he was threatened with a halter and the gallows.

We might give many additional instances of oppression in Massachusetts and elsewhere, especially in Connecticut, and to some extent in New Hampshire, but we forbear. In this last colony, however, as Backus says, "the Congregational denomination were never exalted so high above all others" as in the other two colonies, and so the oppression here was never so great. Still, until the year 1679, New Hampshire was under the jurisdiction of Massachusetts, and until a much later period it was under its influence, and this simple statement is sufficient to show that the Baptist cause in the Granite State met with no little opposition and with frequent attempts at "suppression."

We subjoin certain oppressive laws passed by the General Assembly of Connecticut which plainly show what Baptist ministers and laymen, itinerant preachers and Separatists, had to encounter and to suffer. Certain

features in these laws seem to have reference to the Quakers and especially to the "Rogerenes" who, in some respects, were quite as fanatical as the Quakers.

In the first code of Connecticut's laws, compiled in 1655, all persons were obliged to be present at the public worship on the Lord's Day, and upon all days of public fasting and prayer and of thanksgiving, appointed by civil authority, on penalty of five shillings for every instance of neglect.

No persons within this Colony shall in any wise embody themselves into church estate without consent of the General Court and approbation of the neighboring churches.

No ministry or church administration shall be entertained or attended by the inhabitants of any plantation in the Colony, distinct and separate from, and in opposition to that which was openly and publicly observed and dispensed by the approved minister of the place, unless with approbation of the Court and neighboring churches, save under a penalty of five pounds for every breach of this act.[1]

In May, 1723, the General Assembly passed this:

Whereas, Notwithstanding the liberty allowed by law both to ministers and people to worship God according to their own consciences, there are some persons who, without qualifying themselves as the law directs for the enjoyment of such liberty, presume to form themselves into separate meetings and neglect to attend on any public worship of God on the Lord's day, under colour of gathering themselves together in private houses for preaching and other parts of divine worship; and whereas, Some persons without the least pretence or colour of being ordained in any form whatsoever ministers of the Gospel, have nevertheless presumed to gather together in a tumultuous manner and take upon them to administer the sacrament of baptism, to the great abuse and profanation of that holy ordinance;

[1] Trumbull's "History of Connecticut," Vol. I., p. 302.

Be it therefore enacted . . . that whatsoever persons shall presume on the Lord's day to neglect the public worship of God in some lawful congregation and form themselves into separate companies in private houses, being convicted thereof before any assistant or Justice of the peace, shall each of them, for every such offence, forfeit the sum of twenty shillings.

And it is further enacted . . . that whatsoever person, not being a lawfully allowed minister of the Gospel, shall presume to profane the holy sacraments by administering or making a show of administering them to any person or persons whatsoever, and being thereof convicted before the County Court in such county where such offence shall be committed, shall incur the penalty of ten pounds for every such offence and suffer corporal punishment, by whipping, not exceeding thirty stripes for each offence.

And at a still later date, in 1742, it was enacted that

If any ordained or any other person licensed as aforesaid to preach, shall enter into any parish not immediately under his charge, and shall there preach and exhort the people, he shall be denied and excluded the benefit of any law of this colony, made for the support and encouragement of the gospel ministry, except such ordained or licensed person shall be expressly invited and desired to enter into such parish and there to preach and exhort the people by the settled minister and the major part of the church and society within such parish.

And be it further enacted, that if any person whatsoever that is not a settled or ordained minister, shall go into any parish without the express desire and invitation of the settled minister of such parish, if any there be, and the major part of the church and congregation within such parish, and publicly teach and exhort the people, (he) shall, for every such offence, upon complaint thereof to any assistant or justice of the peace, be bound to his peaceable and good behaviour until the next County Court in that county where the offence shall be committed, by said assistant or justice of the peace, in the penal sum of one hundred pounds lawful money, that he or they will not offend again in the like kind.

And it is further enacted, that if any foreigner or stranger [like George Whitefield] that is not an inhabitant of this colony, in-

cluding as well such persons as have no ecclesiastical character or license to preach, or such as have received ordination or license to preach, by any association or presbytery, shall presume to preach, teach, or publicly exhort in any town or society within this colony, without the desire and license of the settled minister and the major part of the church and inhabitants of such town or society (provided that it so happen that there be no settled minister there), that every such preacher, teacher, or exhorter, shall be sent as a vagrant person by warrant from any assistant or justice of the peace, from constable to constable out of the bounds of this colony.

The Assembly in October, 1743, not deeming the last law severe enough, enacted that

If any such foreigner or stranger, after having been transported out of the bounds of the colony, should return again to preach or exhort, he should "be bound in the penal sum of one hundred pounds, lawful money, to his peaceable and good behaviour, and that he will not offend again in like manner; and that he shall pay down the cost of his transportation." [1]

Under one of the foregoing laws, Mr. Samuel Finley (afterward president of the College of New Jersey), who had been preaching to a seceding church in Milford, was ordered by the governor "to be carried from constable to constable, and from one town to another, until he should be conveyed out of the colony."

It is not to be wondered at that about this time (1745) Mr. Stephen Winthrop wrote from London to his brother, Governor John Winthrop, of Connecticut, that "Heere is great complaint against vs for our severetye against Anabaptists. It doth discourag any people from coming to vs for fear they should be banished if they dissent from vs in opinion." [2]

[1] Trumbull's "History of Connecticut," Vol. II., 37, 163, 174.

[2] We are much pleased to record in this connection, the testimony of

Perhaps no single occurrence better illustrates the oppressive principles and spirit of the Connecticut authorities in early times than does the expulsion from Yale College of the two Cleveland brothers, merely for their attending and taking part in Separatists' meetings.

Sadly interesting too, in this connection, is the story of the trials which befell Philemon Robbins, of Branford, principally for preaching on one occasion, January 6, 1742, to the Baptist Society in Wallingford, an account of which trials occupies pp. 196–232 in Vol. II. of Trumbull's "History."

The Separatists, we may remark, suffered for a time more than did the Quakers, or Baptists, or Episcopalians; for while these were favored with certain exemption laws, the Separatists had no escape from fines and imprisonments. Dr. Trumbull, in Vol. II., p. 233, gives a petition to the Assembly of 1748, signed by three hundred and thirty persons who were Separatists, belonging principally to the counties of New London and Windham. The legislature, however, "rejected their petition and granted them no relief." "Why these people," adds Dr. Trumbull, "should be treated worse than Quakers and Baptists, while they were loyal subjects, devoutly and zealously worshiped God in their own way, and, except in their peculiarities, were many of them strict in morals, peaceable and good inhabitants, I know not."

In regard to Vermont, Elder Backus felt himself

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the Quaker historian, Sewel, that the above-named "Gov. Winthrop earnestly dissuaded the shedding of blood." It is not strange that Roger Williams, in writing to this governor, should say that he "ever honored and loved and ever shall the root and branches of youre deare name."

obliged to speak of "the ministerial tyranny which has been carried into that wilderness from the States of Connecticut and Massachusetts." The oppressive rule of the "Standing Order" is, we think, fairly well illustrated in the following extract of a letter written by Elder Elisha Ransom to Elder Backus, March, 1795 :

A brother living in Hartford, in Vermont, belonging to Elder Drew's church, has suffered much about rates from another denomination. He was first carried to gaol, and then came out by paying the money, and prosecuted them in vain, for he was beat three times. I cannot ascertain the costs, for his last trial was the last day of February past, but it is supposed that his costs will be above fifty pounds. Five petitions were carried into the Vermont Assembly last fall, with more than two hundred signatures, against the certificate law, and I went to speak for them ; and after my averment that the certificate law was contrary to the rights of man, of conscience, the first, third, fourth, and seventh articles of our constitution, and to itself, for it took away our rights and then offered to sell them back to us for a certificate, some stretched their mouths ; and though no man contradicted me in one argument, yet they would shut their eyes and say they could not see it so. I had many great friends in the house, but not a majority. They sent out a committee who altered the law much for the better, if any law could be good of that kind, which was that every man might assert his own sentiments to the town clerk, and that should answer ; but because it would still be a bad law, and I would not thank them for it, and none of our friends would acknowledge it as a favor, it fell back to where it was before. Only we have this to comfort us : the Lord reigneth, and their power is limited, and we shall have no more affliction than is needful for us.

In 1787 Dr. (M. D.) Asaph Fletcher left Massachusetts for Vermont, where, as in the former State, he labored earnestly for constitutional freedom. In 1789 he was followed by Rev. Aaron Leland, from Bellingham,

who also did noble service for religious liberty. Another Baptist minister, Ezra Butler, was a strong champion for equal rights. In 1807, when religious liberty was secured to the people by the repealing of all oppressive statutes, Mr. Leland was speaker of the House, and Mr. Butler was a member of the Senate. Subsequently the latter served for two years (1826–28) as governor, and the former at the same time and for a still longer period, served as lieutenant-governor.[1]

By way of contrast, note the smallest of the New England States, Rhode Island, at this time. The three adjoining colonies, Plymouth, Massachusetts, and Connecticut, while not esteeming its people or its principles very highly, yet eagerly and persistently sought to secure a large slice, or even the whole thereof.[2] These colonies were ever inimical to its welfare, and Massachusetts, in fact, sought to starve it out of existence.[3] The royal commissioners were not far from right when they wrote to his Majesty that "this colony which admits of all religions, even Quakers and Gennerallists, was begun by such as the Massachusetts would not suffer to live among them, and is generally hated by the other colonyes who endeavoured severall wayes to suppresse them." The Indians, as Roger Williams complained, could obtain an

[1] In regard to these Vermont champions of freedom, see more fully in Dr. Armitage's "History of the Baptists," p. 809; and for a brief memoir of Dr. Fletcher, by his son, Hon. Richard Fletcher, see Benedict's "History of the Baptists," p. 488. An interesting account of Leland and of Butler is given in Vol. VI. of Sprague's "Annals of the American Pulpit."

[2] S. G. Arnold's "History of Rhode Island," Vol. I., p. 118.

[3] The same, Vol. I., p. 268; and Backus' "History," Vol. I., pp. 240, 252. See also at the close of Section VII., what Backus says of the power and disposition of *the beast.*

abundant supply of arms from the Dutch and from the perfidious English, yet the Rhode Islanders, though dwelling among the thickest of the barbarians, and though, if spared, would be a hedge and a defense to the Massachusetts people, could nevertheless obtain no means of defense for themselves, but were seemingly "devoted to be the Indian shambles and massacres." "I pray," said Roger Williams, when pleading for "fower or more barrells of powder yearely, with some convenient proportion of artillerie," "I pray your equall and favorable reflection upon that your law which prohibits us to buy of you all meanes of our necessary defence of our lives and families, yea in this most bloudy and massacring time."[1] I think it probable that if the three "erroneous persons, being strangers," who paid a short visit to Lynn in the summer of 1651, had come from some other region than Rhode Island, they would have met with a less hostile reception. Into this State the colonies sent all their discordant and disaffected peoples, and it became a refuge for outcasts of every kind from all quarters of the world. Jeremy Belknap[2] says:

> The Anabaptists, fined and banished, flocked to that new settlement, and many Quakers also took refuge there; so that Rhode Island was in those days looked upon as the drain or sink of New England; and it has been said that if "any man had lost his religion, he might find it there, among such a general muster of opinionists." Notwithstanding this invective it is much to the honor of that government that there never was an instance of persecution countenanced by them.

With all these disturbing elements above referred to,

[1] Hutchinson's "Collection of Papers," pp. 277, 281.
[2] "History of New Hampshire," Vol. I., p. 89.

and with consequent internal dissensions, together with the ever troublesome "salvages" or barbarians, and with no protection or sympathy from the United Colonies, it is not surprising that in its early history it saw troublous times. But no Rhode Islander need be ashamed of its history so long as he can boastingly say that, of all the New England States it alone has furnished no bloody and cruel acts of religious persecution for the historian to record.

The government of Rhode Island has in respect to "religious concernments" ever been faithful to the charter of 1663, which Dr. Clarke secured from Charles II. This charter declares that

Noe person within the sayd Colonye at any tyme hereafter shall bee anywise molested, punished, disquieted, or called in question for any difference in opinione in matters of religion which do not actually disturb the civill peace of our sayd Colonye; but that all and everye person and persons may from tyme to tyme, and at all tymes hereafter, freelye and fullye have and enjoy his and theire own judgments throughout the tract of land hereafter mentioned; they behaving themselves peaceablie and quietlie, and not using this libertie to lycentiousnesse and profanenesse.

In 1680 the Governor of Rhode Island, in answer to the inquiries of the English Board of Trade, says:

But there are others [than Baptists and Quakers] of divers persuasions and principles, all which together with them enjoy their liberties accordinge to his Majesties gracious charter to them granted, wherein all people in our Colloney are to enjoy their liberty of conscience, provided their liberty extend not to licentiousness . . . We leave every Man to walke as God shall persuade their hartes, and doe actively and passively yield obedience

to the civill Magistrate, and doe not actively disturb the civill peace, and live peaceably in the Corporation as our Charter requires, and have liberty to frequent any meetings of worship for their better instruction and information.[1]

Reference has already been made in these pages (see p. 83) to the tolerant treatment which the Quakers received in Rhode Island, when in every other colony they were subjected to all manner of persecution.

In 1684 the Jews, who could find no home elsewhere, received assurance from the Rhode Island Assembly that they might expect as good protection here as any other resident foreigners, being obedient to the laws.[2]

In accordance also with the spirit of the charter, the authorities passed in 1716 (several years before the magistrates of Massachusetts thought of an exemption law) an act to prevent

The making use of the civil power for the enforcing of a maintenance for their respective ministers [so that] what maintenance or salary may be thought needful or necessary by any of the churches, congregations, or societies of people now inhabiting or that hereafter may inhabit within any part of this government, for the support of their or either of their minister or ministers, may be raised by a free contribution, and no other ways.[3]

For further reference to this matter of religious liberty in the charter and government of Rhode Island, see on the page following the title-page, Williams' utterance in regard to "soul freedom," and Dr. Clarke's petition for the charter, also the closing part of the code of 1647 (quoted on p. 65), "Let the Lambs of

[1] Arnold's "History of Rhode Island," Vol. I., p. 490.
[2] Ibid, Vol. I., p. 478. [3] Ibid, Vol. II., p. 58.

the Most High walk in this colonie without Molestation," etc.[1]

NOTE.—As frequent references have been made in previous pages (176, 192) to the sufferings of the oppressed Baptists in Ashfield, perhaps our readers may like to see how their opponents sought in this particular case to justify their conduct. This can be found in Vol. IV. of the "Acts and Resolves of the Province of Massachusetts Bay." This volume has some points of special interest to Baptists, containing, as it does, the masterly "Memorial and Remonstrance" of John Proctor (pp. 122–126),[2] the petitions for relief from taxation of

[1] "*Lambs* of the Most High," is the reading found in 2 Mass. Hist. Coll., VII., 79, "copied from the original" in the office of the Secretary of State of Rhode Island, yet most Rhode Island Historians give it: "*Saints* of the Most High." Such also is the reading in the copy belonging to the State Library in Providence.

A similar discrepancy is found in Dr. Clarke's petition for the charter, referred to above. As usually quoted it reads: 'and that among English *subjects*." But Mr. Arnold and Secretary John R. Bartlett, in his R. I. Coll. Rec. give it: "among English *spirits*": which as being to us the "more difficult reading," is probably correct. The original is found in the British State Paper Office in London.

Still another discrepancy has demanded our attention. This has reference to Samuel Myles (noticed on p. 109), whether he was the *son* (as stated by Benedict, p. 408, and others) or *grandson* (as stated by Backus, I., 406) of Elder John Myles. The former statement is certainly correct. Elder Myles died in 1683, while his son Samuel was in Cambridge College. He was born 1664, graduated as "Samuel Mylesius, Mr.," in 1684, and first officiated at King's Chapel, July 1, 1689. He was preceded in the pastorate for a short time by Robert Ratcliffe.

Some one, I think, has said that the eleventh commandment for the historian is, or should be, *verify your quotations*. Would that this had always been done, or would, indeed, that it could always be done—beyond the possibility of dispute!

[2] In the "Acts and Resolves" it is stated that Mr. Proctor's first petition was "sent down for concurrence," while in his second petition (see p. 165) he says it "was not sent down." The explanation is that

Ebenezer Smith, Chileab Smith, John Blackmer, and others of Ashfield,[1] in the years 1768–70 (pp. 1036–7; also found in part in Dr. Hovey's "Life of Backus," p. 346 et seq.), and the petition in their behalf to the Lords Commissioners of Trade and Plantations, by Dr. Samuel Stennett, of England; also the piquant responses by the proprietors of Ashfield to the petition of the Ashfield Baptists, and by the General Court to the petition (noted on p. 176) of Messrs. Stillman, Smith, and Davis, pp. 1039–43. We give some extracts from this last response:

APRIL 25, 1771.

The Committee upon the Petition of the Rev^d. Mr. Stillman, Smith, and Davis, have attended the service assigned them and very fully heard the parties, beg leave to report:

1^st. That if said Reverend Gentlemen had in their Petition treated the General Court with more good manners and truth [the courteous Stillman!], they would have cast no blemish upon their sacred character by so doing.

2^ndly. There is an essential difference between persons being taxed where they are not represented, therefore against their wills, and being taxed when represented, and when what is taxed is only in consequence of what was the very condition of their grant, which nobody compelled them to enter into, but was entirely voluntary on their part. . . The petitioners complain that their estates were taken from them against their wills; and very right it should be so when their wills and their consciences are against doing what they engaged to do, and what if they had not engaged to do, they would never have had any grant of them at all. . .

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the House did not act upon it, if sent down, till after the lapse of nearly five months, or several weeks after the writing of the second petition. In fact the House acted upon the second petition two days before acting on the first.

[1] The petition of May 24, 1768, has eighteen signatures, and it states that "There is upward of ninety Soals that Frequently attend our meetings on Lord's day."

There never was a law relating either to Churchmen, Baptists, or Quakers, exempting them from paying taxes considered as Proprietors or Grantees in a new plantation. The laws relative to them respect only such rates as are assessed by towns, district, or parish, and this distinction is very material and very rational, and not anti-Christian. The end and design of the grant of waste lands by the General Court is this, that they shall be improved that which was meer nature should be cultivated and improved for the increase of his Majesty's good subjects in this Province, their trade, produce, and business. This is quite agreeable to the design of King William and Queen Mary in their grant of the charter; but how can this be effected when perhaps half in every new granted township refuse complying with the conditions of the grant, pleading conscience, which conditions [one of which was to settle a learned orthodox minister there, and build and finish a convenient meeting-house for the public worship of God] they were perfectly acquainted with when they accepted the grant. In new townships the grantees, when all unite to perform the conditions, go thro' a vast many hardships and encounter a thousand difficulties before the same are performed; to excuse any under any pretence whatsoever, therefore, would be unreasonable and cruel to the rest, if they were obliged to do their own duty and the duty of their delinquent brethren. Is this conscience? Or is it conscience that a man should not be obliged to do what he hath solemnly and voluntarily covenanted to do? Now what other method can be devised, but to sell the lands of those *who conscientiously say they will not be as good as their word, or keep their covenant tho' it be so greatly to the prejudice of the public?* Is it not more favorable to these delinquents, that part of their land be sold in fulfillment of their engagements than the whole should revert to the Province? which is the very tenure of their grant and by which they hold their lands. Your committee find that in the sale of these lands there was no unfairness, but everything was quite fair, quite neighborly, and quite legal. Upon the whole, your committee, tho' desirous that everything might be done that can be desired for persons of every denomination of Christians whereby they may worship God in their own way and according to their consciences without any let or molestation whatsoever, yet

for the reasons above-mentioned and many more that might be offered, it is our opinion that said Petition be dismissed.

W. BRATTLE, by order.[1]

In Council, Read and accepted, and Ordered that said Petition be dismissed accordingly.

In the House of Representatives, Read and Non-concurred, and Ordered that . . . shall be a committee to bring in a Bill for repealing and making void an "Act for erecting the new Plantation called Huntstown in the County of Hampshire into a town by the name of Ashfield." In Council, Read and non-concurred.

But his majesty did not agree with the Council in this matter (see p. 178). He probably knew the purport and design of King William's Charter. Governor Hutchinson also showed some favor to the Baptist society after he had "happened to look and find that the word *Support* was not in the original grant of those lands." This whole Ashfield matter is fully narrated in Vol. II., 149 *et seq.*, of Backus' "History," who moreover avers that the account which he gives is "carefully taken from our printed laws, journals of the House of Representatives, and other writings and testimonies; and our opponents are welcome to point out any mistakes therein if they can."

VII. THE AGENT'S PETITION TO THE GENERAL COURT OF MASSACHUSETTS.

To the Honorable General Assembly of the Colony

[1] The writer of the above report is William Brattle, for many years a member of the Governor's Council.

The Brattles of Boston, were a family of much distinction. Rev. William Brattle, the father of the above, was an instructor in the college, and afterward became the minister of the Cambridge Church. The old Brattle Street Church in Boston, as well as the street itself, commemorates the name of a brother, Thomas Brattle.

of the Massachusetts Bay, assembled at Watertown, Sept. 20, 1775.

The Memorial and petition[1] of Isaac Backus, agent for the Baptist churches in said colony, humbly sheweth:

That whereas the honorable Congress of this Province did, on the ninth day of December last, pass a resolve wherein "They recommend to the Baptist churches that when a General Assembly shall be convened in this colony, they lay the real grievances of said churches before the same when and where their petition will most certainly meet with all that attention due to a memorial of a denomination of citizens so well disposed to the public weal of their country." And as such an assembly is now convened, we humbly represent that our real grievances are, That we as well as our fathers have from time to time been taxed on religious accounts where we are not represented, and when we have sued for our rights our causes have been tried by interested judges.

That the representatives in former assemblies as well as the present were elected by virtue only of civil and worldly qualifications, is a truth so evident that we presume it need not be proved to this assembly; and for a civil legesliture to impose religious taxes is, we conceive, a power their constituents never had to give, and is therefore a going entirely out of their jurisdiction. That the legesliture of this province have made laws to determine how religious ministers shall be chosen and settled, and so compell all the inhabitants to support them, is a known fact; and all the acts that they have ever made to exempt baptists from taxes to such ministers have been framed in such a manner as that they must im-

[1] So far as we are aware, this petition has never before been published, save a few paragraphs in Backus' "History." The manuscript from which we quote may be the original or a copy therefrom. This petition was first read to the Association, and it was voted unanimously that it should be presented.

plicitly give in to the assemblies' right to impose such taxes, or else they rarely could enjoy any exemption therefrom.[1] And when the baptists have done so, they yet have often been taxed to pedobaptist ministers, and if they have sued for recompense their causes have been tried before pedobaptist judges and jurors who know that so much money as they can get from their neighbors for their own ministers, so much they save to themselves. Yea, the very lawyers that are employed to plead our causes are interested against our true freedom, because they know if that was once granted, a great source of their own gain would be stopt. A glaring instance of these biases we experienced between the passing of the cruel Port Bill and its arrival at Boston; for in that juncture the case of mr. Nathan Crosby was tried at Charlestown, when a lawyer he employed, while he was pleading the case, cautioned the jury against giving him too much damages; the judges did the same, and the effect was such that they allowed Crosby but three pounds damages for his being taxed to the pedobaptist minister of Chelmsford, contrary to your own law, and being imprisoned for it four days; yea, and the court who found that he was unlawfully taxed, yet judged that the constable who carried him to gaol should recover costs of Crosby for so doing out of the said three pounds.

This is but a sketch of the evidence we have of our being taxed and judged unconstitutionally; and we beg leave to observe that 'tis evident to us that our rulers have been drawn into and carried along this unconstitutional way by a method of arguing which is far from being honorable, viz., Begging the question; for we hold as fully as our opponents do that it is the duty of those who are taught to communicate unto him that teacheth in all good things. But the question between us is, whether that duty ought to be enforced with the magis-

[1] For the different exemptive acts, see Appendix F.

trate's sword or not? It is a most certain duty for men daily or continually to offer praise to our great Creator, and both of these duties are called *sacrifices to God* in Heb. 13 : 15–17, and why have not civil rulers as good right to order men to gaol for not praying daily in their families as they have for not giving money to religious ministers? But the constant methods of the advocates of the scheme we oppose has been to quote Scriptures that prove it to be the duty of people to communicate to their teachers, and then take it for granted that civil rulers ought to enforce that duty by the sword without any proof at all; yea, so far from it, that under the legal dispensation where God himself prescribed the exact proportion of what the people were to give, yet none but persons of the worst characters attempted to *take it by force* (1 Sam. 2 : 12, 16; Mica 3 : 5–9). How daring then must it be for any to do it for Christ's ministers, who says, *My kingdom is not of this world!*

When Scripture fails, recourse is often had to the good fathers of this country who established the congregational way of worship, and from thence 'tis argued that rulers still ought to support it. Permit me therefore to mention a few words of the steps they took to establish that way. There was nothing of it in the first nor last charter of their colony, but in both the assembly were limitted not to make any laws contrary to the laws of England; but when the General Court met at Boston, May 14, 1634, they enacted, "That the former oath of freemen shall be revoked so far as it is dissonant from the oath of freemen here underwritten, and that those that received the former oath shall stand bound no further thereby to any intent or purpose than this new oath tyes those that take the same." Their former oath bound them to submit to "all such laws, orders, sentences, and decrees as should be *lawfully* made and published" by this government; but this act absolved the freemen from that article and bound them to submit "to the *wholesome* laws and orders made and

established by the same." And at their generall assembly, Mar. 4, 1635, they say, "This court doth intreat of the brethren and elders of every church within this jurisdiction, that they will consult and advise of *one uniform order of discipline in the churches*, agreeable to the Scriptures, and then consider how far the magistrates are bound to interpose for the preservation of *that uniformity*." And at the same time passed an act to oblige every man that should reside within their jurisdiction six months of or above 16 years of age, servants as well as others, to take this new oath upon pain of being "punished at the discretion of the court." And mr. Roger Williams, for opposing this oath and refusing submission to such a power, was the next fall banished out of this colony. In those times none were allowed to be voters in civil affairs but members in full communion in their churches, and at a general court at Boston, Sept. 6, 1638, they say, "This court taking into consideration the necessity of an equal contribution to all common charges in towns, and observing that the chief occasion of defect herein ariseth from hence that many of those who are not freemen nor members of any church, do take advantage thereby to withdraw their help in such voluntary contributions as are in use; It is therefore hereby declared that every inhabitant in any town is lyable to contribute to all charges both in church and commonwealth whereof he *doth* or *may* receive benefit; and withal it is also ordered that every inhabitant who shall not voluntarily contribute proportionably to his ability with other freemen of the same town to all common charges, as well for upholding the ordinances of the churches as otherwise, shall be *compelled* thereto, by *assessment* and *distress*, to be levied by the constable or other officer of the town, as in other cases."

These extracts I carefully took with my own hand from the province records. After this last act began to operate, mr. Briscoe, of Watertown, wrote a piece against it; but the consequence was this:

"At a quarter Court at Boston, Mar. 7, 1642-3, mr. Nathaniel Briscoe, for certain mutenous speeches and writings, was fined £10."

"John Stowers, for reading of divers offensive passages (before company) out of a book, against the officers and church of Watertown, and for making disturbance there, was fined 40s." And the ministers of that day said: "But as for his arguments they were not worth answering, for he that shall deny the exerting of the civil power to provide for the comfortable subsistence of them that preach the gospel *is rather to be taught by a cudgel than argument.*"

These were the methods that introduced into New England the practice of supporting religious ministers by assessment and distress, and we cannot find as it has any better foundation than the cudgel to this day. And as to that, we have read of a pagan minister that *loved the wages of unrighteousness* who once belaboured his beast with such an instrument, *but was rebuked for his iniquity; the dumb ass, speaking with man's voice, forbad the madness of the prophet.* How then came this *cudgilling* way of teaching ever to get footing among Christians![1]

We mean not to reflect upon any man or men whatsoever but only to set that practice in its true light, and shall only add that our last charter gave the rulers no warrant to force any man to support congregational ministers, but the first law they made for that purpose after it was received, was in the same year (1692) the colony was so infatuated with the notion of witchcraft as to take away a number of lives unjustly; and by the next time the assembly met they found that Boston re-

[1] We are informed that after the reading of this memorial Major Hawley rose, and among other things, "told the Assembly that though the language of the memorial might not be so polished and polite as some others would have used, yet the matters it contained were weighty, and the Baptists had undoubtedly been injuriously treated." He moved, therefore, at some future day appointed, the petition be taken up for consideration, which motion was agreed to.

fused to receive this taxing law; therefore they added another in which they say, "Nothing herein contained is intended or shall be extended to *abridge* the inhabitants of Boston of their accustomed way and practice as to the choice and maintenance of their ministers"; which shows that they intended to *abridge* others of the liberty that Boston has always claimed; and how much better was this than it was for governor Hutchinson to say, "There must be an *abridgement* of what are called English liberties!"

We beseech this honorable assembly to take these matters into their wise and serious consideration before Him who has said, "With what measure ye mete, it shall be measured to you again." Is not all America now appealing to heaven against the injustice of being taxed where they are not represented, and against being judged by men who are interested in getting away our money? And will heaven approve of your doing the *same thing* to your fellow-servants? No, surely.

And here we would note that it has been well said: "As I derive not my property from the laws, but only the security thereof, the legesliture cannot properly resume it as they never gave it, unless my possession thereof interfere with the public good, and then not without an equivalent." But have not the legesliture of this province often taken away property without any equivalent at all? The above law was to compel every inhabitant to support church ordinances whereof he *doth* or *may* receive benefit; but how contrary is this to the law of Heaven? That says, Let him that is taught communicate to him that teacheth, but the same lawgiver required his ministers not to carry away so much as the *dust* of a house or city that rejected them (Gal. 6 : 6; Matt. 10 : 13, 14), which law was for the seventy as well as the twelve (Luke 10 : 8–11). Further, the Lord hath ordained that they who preach the gospel should *live of the gospel*, of what is produced by the gospel means of instruction, exhortation, and good ex-

ample; and rulers as well as others ought doubtless to do their part herein, yea, to lead in the same and be nursing fathers to the church of Christ. But how far is this from taking away the property of one and giving it to another without his consent? In short we believe Christ has made laws enough to support his ministers, and we desire that every gospel method may be used to enforce them by every person in their several stations. But what is said of those who add to his laws? and we pray your honors not to forget how great an addition thereto is couched under the word *may*.[1] Christ's laws plainly require those who *do* receive benefit to communicate to such as are instrumental thereof; but for legeslitors to impower the majority of every town or parish to say who shall be ministers of it, and to compel their neighbors that *do not* chuse him, and are *not* benefited by him, yet to support him, only because they *may* hear him if they will; is not this a great and terrible addition to the divine law!

[1] The possibilities of this word *may* are well illustrated by the colloquy (given in Rev. F. Denison's "Historical Notes") between Dr. Benjamin Lord, of Norwich, Conn., and a Mr. Collier, who was a barber. The doctor at one time volunteered to collect his own rates, and on visiting Mr. Collier, the following dialogue ensued:

Dr. L.—"Mr. Collier, I have a small bill against you."

Mr. C.—"A bill against me? for what?"

Dr. L.—"Why, your rate for my preaching."

Mr. C.—"For your preaching? Why, I have never heard you. I don't recollect that I ever entered your meeting-house."

Dr. L.—"That's not my fault; the meeting-house was open."

Mr. C.—"Very well. But look here: I have a small bill against you, Dr. Lord."

Dr. L.—"A bill against me? for what?"

Mr. C.—"Why, for barbering."

Dr. L.—"For barbering? I never before entered your shop."

Mr. C.—"That's not my fault, Dr. Lord; my shop was open."

To a newspaper controversialist who asserted that the taxing of all to support religious worship is done on the same principle as taxing for public schools which children *may* attend, Elder Backus gives this curt reply: "Now all men of sense know that religious worship is as distinct a thing from learning to read and write as it is from learning the trade of a weaver or a shoemaker; therefore it is to be feared that he and many others have no better notions about the gospel ministry than of a *trade to get a living by*."

What temporal property any church or person is lawfully possessed of, we believe they ought peaceably to enjoy, and civil rulers ought to punish any that invade or encroach upon their rights; and we thankfully acknowledge that we have enjoyed many and great favours in these respects under the government that has been set up over us, and would ever honor our rulers therefor; but for them to force away our property for religious ministers, appears to us to be a sphere that they have no right to act in, neither from the law of nature, Scripture, nor the charter of this province; and, therefore, we cannot in conscience yield so much as an implicit assent to such a power. And we appeal to your consciences whether we can give in the annual certificates required by a late law of this province, and pay the *four penny* tax thereon which it requires in every parish, without tacitly acknowledging a power in our *civil* legesliture to tax us on religious accounts. Yet only because we refrained last year from yielding that acknowledgment, many members of our Baptist societies who have been exempted as such for fifteen or twenty years past, are taxed to ministers that they are in no way indebted to any more than congregationalists are to episcopalians.

Your honors need not to be informed that the present contest betwixt this and our mother country, is not whether the British Parliament has a right to impose taxes or not, but about their extending that power beyond its just limits; neither is it so much upon the greatness of the taxes already laid on America, as about the acknowledgment of their right to tax us at all; and the difficulty is the same with us. We have no desire of representing this government as the worst of any who have imposed religious taxes. We fully believe the contrary; yet as we are persuaded that an entire freedom from being taxed by civil rulers to religious worship, is not a mere favour from any man or men in the world, but a right and property granted us by God who commands us to *stand fast in it*, we have not only the

same reason to refuse an acknowledgment of such a taxing power here, as America has the above said power, but also according to our present light we should wrong our consciences in allowing that power to men which we believe belongs only to God. And as we understand that this honorable assembly was called by advice of the Continental Congress in order to revive the course of law and government in this colony as near to the *spirit of the Charter* as may be, we earnestly intreat your Honors to consider that equal liberty of conscience is plain in the Charter, and therefore that you would not revive any law that tends to abridge any inhabitant in this colony of that important right, but that all persons who shall attempt to incroach thereupon may be punished according to the demerit of their crimes, and your honors petitioners as in duty bound shall ever pray.

ISAAC BACKUS, agent for the Baptist Churches in this colony, by advice of their Committee.

The above petition was assigned to a committee of seven, three of whom were Baptists. After much discussion they at length reported to the House "that the Baptists have leave to bring in a bill for the redress of grievances complained of in the said memorial." Some of the assembly censured the memorial for various reasons, while Major Hawley commended it greatly, and told the Court that the established religion of this colony was not worth a groat, and wished it might fall to the ground.[1] Finally, it was voted that Dr. Fletcher,

[1] This "Major Hawley" is Joseph Hawley, of Northampton, for many years one of the most influential members of the House, and whom Hutchinson speaks of as the "eminent and highly esteemed lawyer of the county of Hampshire." He was a leader in the opposition to Jonathan Edwards, but afterward made a public and deeply penitent confession of wrongdoing in the matter, which may be seen in Vol. I., pp. 40–44, of Edwards' works.

one of the Baptist members of the Committee, "have liberty to bring in a bill for the redress of such grievances as he apprehends the Baptists labor under." This bill, which was at length brought in, was read once, but the House took no further notice of it. Backus says the General Assembly slipped this memorial "away out of sight, without granting any relief at all to the Baptists," nor was "the least inclination discovered in the ruling party here to pay any regard to these pleas for liberty of conscience."

In the same year that the foregoing petition was presented, the Warren Association desired the Agent and Committee to draw up a letter to all the Baptist societies on this continent. In response to this the Agent wrote an appeal.

"To all Christian people in the American Colonies, and especially to those who are of the Baptist denomination." The opening sentence reads thus:

> While the united inhabitants of this vast continent are appealing to heaven against the open attempts that have been made against their liberties, it is surely of great importance that we all regard that law of heaven: *Make straight paths for your feet.* And can we do so if we are not as earnest for the removal of oppression among ourselves as we are to repel its encroachments from abroad?

Subsequently he goes on to say that:

> Many elders and brethren at a meeting in Warren, September 13, 1775, desired us the subscribers [Isaac Backus, Nathan Plimpton, Asaph Fletcher] to write to all the societies of our denomination in the American Colonies upon the subject of religious liberty and to signify to them that a general meeting of delegates from our societies in each colony we think is very expedient, as soon as may be, to consult upon the best means and methods for

obtaining and establishing full and equal religious liberty throughout this continent, and to promote the general welfare of all, so that truth and peace may prevail and glory dwell in our land; and to request our friends in each colony to communicate their sentiments of the design and of the time and place of meeting, with all convenient speed. . .

That we may all in our stations bear our proper witness unto the truth and against the corruptions and oppressions of the present day is the hearty desire and prayer of your servants for Jesus' sake.

In seeming response to the above proposition for a general meeting, a paper was ere long received from the Southern governments proposing a Continental Association, to be held in Virginia the 17th of October (1776), to seek for universal liberty. Our brethren felt no "want of a hearty desire and endeavors to promote that cause," yet on account of "these difficult times" did not deem the meeting at that time to be practicable.

In the year of the Declaration of Independence, the Association meeting at Grafton sent forth a circular letter, of which we give a few sentences:

We live in a day of as great changes and events as perhaps were ever known in this nation. A time when the principles and nature of LIBERTY and GOVERNMENT have been very closely examined into, and wherein there appears the greatest encouragement of obtaining full and universal *liberty of conscience* that ever has since the first rise of the man of sin. And how can we answer it either to posterity or to our great and impartial JUDGE, if we neglect a right and faithful improvement of this important season?

As one means of faithful improvement, it was recommended that each Baptist Society in New England should take a "census of families and of the number of souls in each family who are desirous of having equal

religious liberty established, that it may be known how many are against the ecclesiastical oppressions which have long been practiced in this country."

In 1777 an "Address to the People of New England" was read by Isaac Backus before the Association meeting at his own church in Middleborough, which was printed in the Minutes as its circular letter.[1] In this letter he says:

The divine oracles inform us of a gradual victory which the church of Christ shall obtain *over the beast, and over his image, and over his mark, and over the number of his name, which is the number of a man.* And also that the beast *was, and is not, and yet is.* Now, what can this mean but the use of *beastly force* to support religion by *human law? It was*, in the times of popish darkness and tyranny, *it is not*, in a land of gospel light and liberty, and *yet it is*, still exercising both deceit and cruelty. When England rejected the pope, and set up a temporal prince as head of the church, our fathers found that this *image exercised all the power of the first beast;* which caused them to flee into this land for religious liberty.

He then goes on to speak of the ruling party in this country:

"Who were not willing that any should buy or sell that

[1] At this time Elder Backus had just finished the first part of his great historical work. And so at this Association a vote of thanks was given him "for the indefatigable pains he hath taken to collect and publish the first volume of a History of the Baptists from the first settlement in New England; and he is requested to go on with that work." This great work by our earliest Baptist historian, and the full and exceedingly valuable notes added thereto by Prof. David Weston, a native of Middleborough, are a memorial of both these brethren which will outlast any monument of stone or bronze which can be reared to their names.

would not *receive a mark* of subjection to secular force in religious affairs," and that "many of our societies have been taxed to them even since the beginning of this memorable year, 1777, for no other reason than because we have refused to *receive a mark in our hands* of subjection to that power."

One reason for preparing and printing the above circular was owing to the reports of oppression and distress which were brought in from different churches. The account from Medfield Church and Society states that "all but six of their members are now taxed to a minister that they dissent from and do not go to hear."

At the next Association, in 1778, Mr. Backus presented another paper on the subject of religious liberty, and he was unanimously requested to publish the same. An outline of this paper, which appeared in pamphlet form and which, from certain peculiar circumstances subsequently arising, proved to be a most telling document, is given in Backus' "History," Vol. II., p. 222, and in Dr. Hovey's "Life of Backus," pp. 234–238. The pamphlet provoked much newspaper controversy, and by one of Backus' opponents it was declared to be "only a compound of ignorance, impudence, and abuse."

VIII. MATTERS TOUCHING THE FORMATION OF THE STATE CONSTITUTION.

We subjoin a petition, "To the Honorable General Court of the State of Massachusetts Bay to be convened at Boston, the 27th of May, 1778," a hundred copies of which were printed and dispersed, and signed by "a large number from various denominations." The copy we have seen, which was circulated mainly in the south-eastern part of this State, contains about seven hundred

and forty pen signatures.[1] The petition sets forth various reasons for dissent against the insertion of the old ecclesiastical laws in the proposed constitution. We give the petition as found in the Backus manuscript:

Whereas, Former Legislatures of this government, by their public Acts, formed all parts of it into towns, districts, precincts, or parishes, with such powers as to enable the majority of inhabitants therein to covenant for the whole with religious ministers, and to compel all to pay such sums as they were pleased to demand of them for that purpose; and also, by said laws, impowered and required the quarter sessions of the peace in each county to send a minister to each parish that neglected or refused to settle such a minister as the Court called orthodox, and to compel the inhabitants to support the same; and whereas, we are informed that many have a design of adopting those ecclesiastical laws into the new Constitution of this State (notwithstanding their general profession of allowing liberty of conscience), we the Subscribers, who are all above twenty-one years of age and faithful subjects of this State, esteem it our duty to enter our dissent against such laws:

(1) Because the choice of a teacher or guide for our souls is one of the most important points of CHRISTIAN LIBERTY, and that wherein each one has an equal right to judge for himself.

(2) Because the power that makes and enforces laws

[1] About thirty years before this, in 1749, it fell to the lot of Elder Backus to carry a Separatists' petition—which was resolved on at a meeting of "the saints" in Attleborough—"down to the Cape," to which he procured one hundred and eighty-three signatures, and also secured a contribution of twenty-seven pounds for the cost of its presentation. Copies of the petition were sent around to the people in various parts of the governments. These petitions for release from paying ministerial rates were unheeded by the Council. "On the side of their oppressors there was power."

is the head of every community; as for instance, a man is the head of his family, the king the head of a kingdom, etc. So is Christ the only lawgiver and head of his church. . . But is there any man or body of men in America that will assume the place of HEAD of any ecclesiastical body, so as to enable that body to support their religious ministers by force used in *their name?*

(3) Because our legislature is chosen by virtue only of civil and worldly qualifications, and cannot justly exercise any other or greater power than their constituents had to give.

(4) Because the impowering of a majority to judge for the rest about religious ministers, and to force them to support them, naturally causes envying and strife; and the wisdom which promotes it descendeth not from above, but is earthy, sensual, devilish; but the wisdom that is from above is first pure, then peaceable, gentle, and easy to be intreated, full of mercy and good fruits, without PARTIALITY, and without hypocrisy. And our earnest prayer is that your Honors may be the happy instruments of promoting such *impartial peace*, as to fix it as a fundamental principle of our constitution, that religious ministers shall be supported only by Christ's authority and not at all by assessment and secular force, which impartial liberty has long been claimed and enjoyed by the town of Boston.

The draft of a constitution which was prepared under the authority of this Court seemed to provide "The free exercise and enjoyment of religious profession and worship," but it left open a loophole for the former system and practice of religious oppression to enter and hold sway. For this and divers other reasons it was rejected by the people. Thereupon a special convention was called to meet at Cambridge, September 1, 1779, for the

framing of a constitution, and a large committee for this business was appointed. The Third Article of the Bill of Rights, as originally prepared by John Adams, gave to civil rulers large power in religious matters, and a Baptist member, Rev. Noah Alden moved to have that article recommitted. The motion was concurred in, and Mr. Alden was made chairman of a committee of seven, "five of whom were great politicians." A new draft was brought in, which gave special power to towns, parishes, etc., to provide for public worship, so that if a majority in any place should be Baptists, they could require the minority to support the Baptist cause. But this substitute recognized the right of the civil power to control religious matters, and so was not satisfactory to the Baptists; yet after warm debates it was passed by the Convention. The amended article reads as follows:

As the happiness of a people and the good order and preservation of civil government essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of God, and of public instruction in piety, religion, and morality; therefore to promote their happiness and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature *shall* [the italics in these paragraphs are ours] from time to time authorize and require the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision at their own expense for the institution of the public worship of God and for the support and maintenance of public *protestant* teachers of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

And the people of this commonwealth have also a right to and do invest their legislature with authority to *enjoin* upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can *conscientiously* and conveniently attend.[1]

Provided, Notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers and of contracting with them for their support and maintenance.

And all monies paid by the subject to the support of public worship and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid toward the support of the teacher or teachers of the parish or precinct in which said monies are raised.

And every denomination of Christians, demeaning themselves peaceably and as good subjects of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another, shall ever be established by law.

In order to obtain a majority vote for the above, "it was asserted," as Backus says:

That there never was any persecution in this land, but that what had been so called were only just punishments upon disorderly persons and disturbers of the public peace. And the Bap-

[1] This word *conscientiously* may have been inserted at the suggestion of the "Baptist member" of the committee, but notwithstanding the apparent safeguard, it naturally rested at last with the civil power to decide upon one's conscientiousness. The word in another connection proved very offensive to the Baptists, since, in the certificates required of them, they had to pass judgment on the conscientiousness of their fellow-believers, which act they deemed to be the prerogative of Deity.

tists were accused [by two members of the Continental Congress, John Adams and Mr. Paine] of sending their agent to Philadelphia in 1774, with a false memorial of grievances in order to break the union of the colonies. Sharp debates were caused hereby for some time; but the first volume of our history was brought in and laid upon the table, which silenced the first part of those declamations.

And in reference to the Philadelphia matter, the agent drew up and published a true account of "that affair, and of the promise which those gentlemen made, to use their influence to obtain the same liberty for the country as Boston had long enjoyed." He then, somewhat in the spirit of Luther, put forth the following challenge: "This is therefore to give notice that I am ready to meet them before any proper judges, when called, to answer for every word therein, and to suffer deserved punishment if I am convicted of advancing any one accusation against my country or against any person therein that I cannot support. . . I am willing to make all the allowance in this case to forgetfulness and other human infirmities that reason or religion calls for; but if those gentlemen should persist in their accusations against us without fairly supporting them, or in acting contrary to their promise at Philadelphia, the public will judge how far they will deserve regard for the future." This whole account "was published in the 'Independent Chronicle,' of Boston, Dec. 2, 1779. But no answer was ever returned, though many abusive pieces were published against said agent." [1]

After the State Constitution was formed in March,

[1] For a brief account of the bitter newspaper controversy, which continued several months, see Backus' "History," Vol. II., p. 226, *et seq.*

1780, and prior to its ratification by the people, the Baptist Committee, through their agent, published an appeal to the people of the State against the third article, five hundred copies of which were distributed. They also sent a PROTEST against it to the General Court for these among other reasons: 1. Because it asserts a right in the people to give away a power they never had themselves. 2. Because this power is given entirely into the hands of men who vote only by virtue of *money* qualifications. 3 Because it is subversive of the inalienable rights of conscience, since the civil power has to judge whether persons can conveniently and conscientiously attend upon the instructions of the public teachers within their reach. 4. "Because said article contradicts itself, for it promises *equal* protection of all sects, with an exemption from any subordination of one religious denomination to another; when it is impossible for the majority of any community to govern in any affair, unless the minority are in subordination to them in that affair."

Notwithstanding all the protests, the new constitution was ratified by a large popular vote, and was adopted by the General Court before the close of the year. This Bill of Rights was not amended till after the lapse of fifty-three years.

Some reference should here be made to the good service of Rev. Noah Alden, of Bellingham, in pleading the cause of religious liberty at the time of drafting the constitution, without whose labors and influence the Third Article would probably have been far more objectionable than it is. He was a descendant of the Mayflower Alden and of the fair Priscilla. Born in Middle-

boro, the home of Isaac Backus, he was ever "the firm and steady coadjutor of Backus" in the great struggle for religious freedom. He was also like Backus, a delegate to the convention for ratifying the Federal Constitution, though they voted on opposite sides.

Of course the Baptists were now fearful as to the future, especially as the constitution empowers a majority of the people in given instances to decide on matters of religious faith and worship. Hence in view of this uncertainty, the brethren were assured that their

strength consists in union and perseverance in opposition to the unjust claims of our enemies. . . A free communication to our brethren who have suffered in the cause, and the promotion of oneness and union therein, is of great importance, and we trust will finally prevail to our deliverance and happiness. And for the encouragement of any who may be called to suffer in any towns or parishes for refusing to give certificates or to pay their money for the support of a ministry from which they conscientiously dissent, we, the Agent and Committee of the Baptist churches, will endeavor that the expenses which may fall upon any individuals for such refusal, shall be made equal by collecting money for said purpose among the churches. (Signed) ISAAC BACKUS, Agent.

By the advice and direction of the Committee.

In accordance with the above is the following recommendation, which was made to the churches in 1797, and which we submit as a sample:

Whereas, The Baptist Church and Society in the South Parish of Harwich have been taxed for several years past, to the support of the Congregational minister, to the amount of several hundred dollars, and very considerable sums of it have been actually distrained from them, and in attempting to recover it by law they have expended near five hundred dollars more; it is therefore, earnestly recommended to the several churches to have a contri-

bution for said Society, in order to assist them in supporting their ust rights, and that the money be brought forward to the next Association.[1]

This Harwich case is but a sample of many similar persecutions which took place even after the adoption in 1780 of the Constitution, which provided that "No subordination of any one sect or denomination to another shall ever be established by law," yet in that very year four Baptist brethren, two of Bridgewater and two of Lancaster, were imprisoned, and a fifth had a cow taken from him, for no other reason than a refusal to acknowledge any subordination of one religious sect to another.[2]

At the Association in Third Middleboro, 1784, accounts of "cruel oppressions," including doubtless the imprisonment of three Cambridge men, were brought in, and it was "resolved to unite in the most prudent and vigorous measures for putting a stop to these oppressions and to maintain the just rights of our brethren and friends." A Committee of Grievances was again chosen, consisting of Samuel Stillman, Isaac Skillman, Hezekiah Smith, and Caleb Blood.

At the Association in Newton, 1786, the late sufferings of the Church and Society in Cambridge [now Arlington] were considered, upon which it was unanimously

Resolved, That as our denomination in this commonwealth have been long oppressed by the Congregationalists, who have claimed the power of supporting religious ministers by tax and

[1] For some account of the distraints and imprisonments which occurred in Harwich, see Backus' "History," Vol. II. pp. 550-1.

[2] Ibid, Vol. II., p. 228.

compulsion ; and in consequence of this, our brethren in Cambridge, besides their time and trouble, have lately been at the expense of thirty-three pounds fifteen shillings, we earnestly recommend that each church in this Association raise a proportion of that sum as soon as may be, and forward the same to mr. Isaac Skillman, of Boston, or to mr. Thomas Green, of Cambridge, for the relief of the sufferers.

The Minutes of the Association held at Sturbridge, 1788, have this record : "As many of our societies are still under oppression on account of ministerial taxes, a memorial and petition to the legislature of this Commonwealth for its removal, and the establishment of equal religious liberty in this government, was laid before the Association by Rev. Mr. Backus, and was approved," and a committee was appointed to "present this or a similar petition, in such time and manner as they shall think proper." There was also "paid into the hands of Rev. Mr. Gair [pastor of the Second Baptist Church in Boston] the sum of six pounds eleven shillings and three pence, to be transmitted to our brethren in Cambridge, in addition to what they have already received toward defraying the expense of their late lawsuit."

In 1791 the Association appointed Elders Stillman, Backus, Baldwin, Green, and Grafton, to be "a committee to whom any person or churches aggrieved by being taxed to other denominations, may apply for advice." The letter which the committee sent this year to the first parish in Barnstable in reference to their repeatedly taxing the members of the Baptist Society will be seen farther on.

The Association at this time advised against applying to the civil government for incorporation. They say :

All we ask of the government we live in (not as a favor but a right), which we with others cheerfully support, is protection from injury; that our money may not be taken from us to support either sentiments or practices that are contrary to our judgment. We ask not *as religious societies* for the power of parishes, because we cannot blend the kingdom of Christ with the kingdoms of this world, nor support it by the power of the civil magistrate.

At the Association in Charlton, 1796, the usual committee of grievances was chosen, and a special committee of three, Stillman, Baldwin, and Grafton, was appointed to prepare and present a petition to the General Court, "praying that an Act may be passed which shall exempt the Baptists in future from being taxed to other denominations." A committee was chosen for the like purpose the next year. And this was nearly ten years after the time when, by the Constitution, there was to be no subordination of any one sect or denomination to another.

In 1800 the Association met at Providence and chose as their committee Dr. Smith, Dr. Stillman, Mr. Baldwin, Mr. Grafton, and Mr. Ebenezer Smith, of the Shaftsbury, Vt., Association. Upon representation that Mr. Smith's church and society at Partridgefield "have been and still are greatly oppressed by being taxed to a large amount [about six hundred dollars] toward building a Congregational meeting house in that place," a collection of twenty-three dollars eighty-three cents was taken up to assist the brethren in an action commenced for the recovery of their property.

But, after this long jeremiad, we are glad to speak of a different and better state of things. In 1805, the Association (which was the last one Elder Backus ever

attended, being the year before his death) met in its birthplace, Warren, and chose a "committee of grievances" FOR THE LAST TIME!

IX. EFFECT OF THE ADOPTION OF THE CONSTITUTION.

The adoption of this Constitution with its sacred clause, "No subordination of any one sect or denomination to another shall ever be established by law," especially when taken in connection with a legal decision made soon after, was yet very helpful to the Baptists and to the cause of religious liberty. In the circular letter of the "Associational Minutes" for 1783, the writer says:

> Though many pleaded for this doctrine [that all men are born free and equal] who were averse to having the same reduced to practice among us, especially in religious affairs, yet God has taken the wise in their own craftiness in such a manner as not only to disappoint their expectations, but also to exceed our hopes. For so much was said in the third article of our bill of rights about the exercise of civil power in religious matters as raised their expectations and appeared very threatening to us. But it now appears upon trial that the last clause of that article overthrows the superstructure which was intended to have been built thereon. And if any designed to call in some foreign aid to crush opposition to their schemes, they are herein also defeated. For though after much debate the word Protestant was excluded from being a test of our legislature, yet a much better name ["Christian," see Constitution, Chapter VI., Article I.] is placed in its stead; and to persuade the people to receive it, it was said to them, "your delegates did not conceive themselves to be vested with power to set up one denomination of Christians above another [Protestants above Catholics], for religion must at all times be a matter between God and individuals." Where then are all their complaints against Baptists?

That the new Constitution with its Bill of Rights gave additional boldness to the oppressed Baptists in asserting their claims, is evident from the tone of a letter sent by the "Committee of Grievances" in 1791 to "the Committee of the First Parish in Barnstable," which we here reprint from Backus' "History." A similar letter was also sent to the Committee of the First Parish in Yarmouth:

GENTLEMEN: The Baptist church in Barnstable belongs to the association of regular churches, and as such claims the advice and protection of the whole body so far as their case requires it and they have power to afford it. By the Warren Association, at their meeting in September last, we were appointed a Standing Committee to which all churches of our denomination in this Commonwealth are to apply for advice and assistance when oppressed on a religious account. Having therefore received a well-attested account from Barnstable that some of the members of our society have been repeatedly taxed and their property taken from them to support the Congregational minister of that place, from whom they conscientiously dissent, and though they have a minister of their own to maintain, we, the Committee of the Baptist churches, think it our duty to say that in an age and country so enlightened as this, such acts of injustice were not to be expected; and in all companies in which the affair has been mentioned, it has been a matter of astonishment.[1] As a denomination of Christians we stand on an equal footing with any in the Commonwealth, and this equality we mean to maintain by every proper method in our power. If the parish refuse to return the moneys taken from our society and continue to tax them to the support of the Congregational minister of Barnstable, we shall be reduced to the disagreeable necessity of publishing the whole to the world, and of taking such other steps as shall appear to us necessary.

[1] Our Baptist historians mention, as another matter of astonishment, that two *women* in Barnstable, belonging to the Pedobaptist Separatist Church, were set in the stocks!

It is our most earnest wish that the different denominations of Christians throughout the Commonwealth may live together in love and friendship agreeable to the spirit of the gospel. We are with sentiments of respect, yours, etc.,

(Signed) Samuel Stillman, Isaac Backus, Thomas Baldwin, Thomas Green, Joseph Grafton.

At a later date, in 1796, Backus thus wrote:

And though the teachers and rulers of the uppermost party in Massachusetts, Connecticut, New Hampshire, and Vermont are as earnest as ever Pharaoh was to hold the church under the taxing power of the world to support religious ministers, yet that power is daily consuming by the spirit of God's mouth and the brightness of his coming! Very few of them now dare to make distress upon any who refuse to pay ministers' taxes; and the credit of Baptist churches and ministers is daily rising in all parts of our country.

The next year, 1797, the Association met at Boston, and Elder Baldwin of that city wrote the circular letter; and perhaps these circumstances account for its cheerful tone. He says: "It is our happy lot to live in an age when the churches of Christ sit under their own vine and fig tree, and none are suffered to make them afraid. Persecution for conscience' sake is almost universally discountenanced, and the instances in which any of our brethren suffer the spoiling of their goods are comparatively few." Yet at this Association a special contribution, as we have seen, was recommended to the churches to make good the great losses sustained by the brethren in Harwich, and to assist them in supporting their just rights. They also chose Samuel Stillman, Thomas Baldwin, Joseph Grafton, and Joel Briggs, as "a Committee to whom persons taxed to other denom-

inations may apply for advice." And a committee of seven was appointed "to petition the General Court, if they should think proper, to have an act passed to exempt Baptists from being taxed to religious teachers of other denominations." A similar petition having been voted for the last year may have been the reason for the above conditional clause.

I think also that the reader, on looking back over these pages, will feel that recent persecutions for religious belief, outside of Boston (and we have mentioned but few out of many), have not been so very rare. And all these oppressive acts were taking place at a time when, as Washington says in his letter, written in 1790, to the Newport Hebrews:

> The citizens of the United States of America have a right to applaud themselves for having given to mankind examples of an enlarged and liberal policy: a policy worthy of imitation. All possess alike liberty of conscience and immunities of citizenship. It is now no more that toleration is spoken of as if it was by the indulgence of one class of people that another enjoyed the exercise of their inherent natural rights. For, happily, the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens in giving it on all occasions their effectual support.

SECTION X. AN IMPORTANT LEGAL DECISION.

This was that of a case in Attleborough which was tried before a county court in Taunton in 1782. One of the parties, Mr. Elijah Balkom, whose goods had been seized for a ministerial tax, sued the assessors for damages before a justice of the peace in Norton. And though it was then and there fully proved that he had

usually attended public worship with the First Baptist Church in Attleborough and had communicated to its support, yet judgment was given against him, from which he appealed to the county court. As it was deemed [1]

A matter of great importance, to have points of law well defined and settled under our new constitution of government, both parties agreed to have the case tried by the honorable justices of the court; namely, Walter Spooner, Thomas Durfee, Benjamin Williams, and William Baylies, Esquires. The council for the appellant were the honorable William Bradford, and James Mitchel Varnum, Esquires. For the appellees was the honorable Robert Treat Paine, Esq., attorney-general for the Commonwealth.

The last named, when pleading for said parish, owned that religion must at all times be a matter between God and individuals, and declared that he disclaimed all subordination of any one sect to another; but pleaded that the certificates, formerly required by law, were not tokens of subordination of one sect to another, but of subordination to the government; and accused the Baptists of refusing to be subordinate to government. He also pleaded that the appellant was born in the second parish in Attleborough, was baptized there, and therefore was to all intents a member of that society; so that if he thought he had cause to leave them, the law, reason, and even common civility, required that he should give them notice of it, which he had not done.

The chief pleas for the appellant were that RELIGION was prior to all states and kingdoms in the world, and therefore could not in its nature be subject to human laws; that the certificates heretofore required were given to parish officers, officers of one particular sect and

[1] The quotation which follows is from Backus' pamphlet, "A Door Opened for Equal Christian Liberty."

not to officers of government; and as our constitution says "No subordination of any one sect or denomination to another shall ever be established by law," those laws are repealed thereby. And as the constitution was established by the people, it is stronger than any law the assembly can make, it being the foundation whereon they stand. Also the society to which the appellant joined is as regular a society as the other that taxed him.

These points were learnedly discussed on March 16, 1782, after which the justices retired a little by themselves, and then returned and declared "that they were unanimously agreed in giving the appellant damages and costs," which judgment not only settled the controversy in Attleborough, but has been extensively beneficial elsewhere.

XI. THE RELIGIOUS FREEDOM ACT OF 1811.

A wide movement of the people about this time in earnest endeavor for religious freedom resulted in an act of the legislature with which Dr. Baldwin, at a later period, expressed himself as quite well satisfied were it only generally enforced and had no attempts been made to repeal it.

In a suit for money paid for ministerial rates, Chief Justice Theophilus Parsons decided that no society, except it be incorporated by law, could get back the money thus paid. A petition signed by many thousands of the citizens of the State was presented to the legislature, urging it to so revise and amend the existing laws respecting the support of public worship that "all denominations of Christians may be exempt from being taxed for the support of religious teachers, excepting those whose ministrations they voluntarily attend." In sup-

port of this petition, Elder John Leland made a characteristic speech from which we make the following extract:

Mr. Speaker, according to a late decision of the bench in the County of Cumberland, which it is presumed is to be a precedent for future decisions, these non-incorporated societies are nobody, can do nothing, and are never to be known except in shearing time when their money is wanted to support teachers that they never hear. And all this must be done for the good of the State. One hundred and seventeen years ago, wearing long hair was considered the crying sin of the land. A convention was called March 18, 1694, in Boston to prevent it. After a long expostulation the Convention closes thus: "If any man will now presume to wear long hair, let him know that God and man witnesses against him." [1] Our pious ancestors were for bobbing the hair for the good of the Colony; but now, sir, not the hair but the purses must be bobbed for the good of the State. The petitioners pray for the right of going to heaven in that way which they believe is the most direct; and shall this be denied them? Must they be obliged to pay legal toll for walking the king's highway which he has made free for all? Is not this a greater subordination than to sail under British licenses, or to pay three pence on every pound of tea? In Rhode Island, New York, New Jersey, Pennsylvania, and Delaware, of the old Colonies; and in Kentucky, Tennessee, and Ohio, the new States, there has never been any legal establishment of religion, nor any assessment to support Protestant Christianity for the good of the States; and yet, sir, these States have stood and flourished as well as Massachusetts. Since the Revolution,

[1] A manifesto against "the wearing of long hair after the manner of Russians and barbarous Indians" was put forth "the third month [May] 10th day, 1649," by Endicott, Dudley, and seven other Magistrates; the full text of which is given in Hutchinson's "History of the Colony of Massachusetts Bay," Vol. I., p. 151. This document also declares in closing, that "such as shall prove obstinate and will not reforme themselves may have God and man to witness against them." Were not the dates given by Mr. Leland so specific, we might suppose his reference was to this earlier manifesto.

all the old States, except two or three in New England, have established religious liberty upon its true bottom ; and yet they are not sunk with earthquakes or destroyed with fire and brimstone. Should this Commonwealth, Mr. Speaker, proceed so far as to distribute all settlements and meeting-houses, which were procured by public taxes, among all the inhabitants without regard to denomination, it is probable that the outcry of sacrilege, profanity, and infidelity would be echoed around ; and yet, sir, all this has been done in a State which has given birth and education to a Henry, a Washington, a Jefferson, and a Madison ; each of whom contributed their aid to effect the grand event. . . These petitioners, sir, pay the civil list and arm to defend their country as readily as others, and only ask for the liberty of forming their societies and paying their preachers in the only way that the Christians did for the first three centuries after Christ. Any gentleman upon this floor is invited to produce an instance that Christian societies were ever formed, Christian Sabbaths ever enjoined, Christian salaries ever levied, or Christian worship ever enforced by law before the reign of Constantine. Yet Christianity did stand and flourish not only without the aid of the law and the schools, but in opposition to both. We hope, therefore, Mr. Speaker, that the prayers of thirty thousand, on this occasion, will be heard, and that they will obtain the exemption for which they pray.

In June, 1811, a law was passed by the General Court, providing that whenever any person shall become a member of any religious society, incorporate or unincorporate (this latter term rendering any such decision as Justice Parsons' nugatory), and shall produce a certificate of such membership to the clerk of the town where he resides, signed by a Committee of the Society chosen for the purpose, such person shall ever afterward, so long as he continues such membership, be exempted from taxation for the support of public worship and public teachers of religion in every other religious corporation whatever.

This "Religious Freedom Act," though a great advance upon its predecessors, was not wholly satisfactory to the Baptists, as it retained the odious certificate system, yet it afforded great relief from the oppressions they had so long endured. At a meeting of the Warren Association in Boston this year, which was also the year when the Boston Association was organized, the author of the circular letter, Ensign Lincoln, says:

> We meet under external circumstances far different from our fathers. Unmolested in the enjoyment of our religious privileges, we sit quietly under our vine and under our fig tree. By a late provision of the civil government of this Commonwealth, those embarrassments which have heretofore existed are removed; and we are under increased obligations for gratitude to our heavenly Parent for his bountiful provision.

XII. THE DELAYED EMANCIPATION OF MASSACHUSETTS.

It was the hope of many, founded doubtless on the advanced movement of 1811, that the State Constitutional Convention of 1820 would be the means of establishing not toleration only, but full religious liberty.[1] Strenuous efforts were, indeed, made to effect this result, but they proved unavailing. John Adams, who struggled so long and so hard to secure our national

[1] Rev. George E. Horr, Jr., in his remarks at the Backus Monument Celebration, made a brief but very clear distinction between these two things which are often confounded together. "Toleration," he said "is for the magistrate to say to us 'I will not give you the right to think and worship as you please, but I will wink at your violation of the law.' Liberty is for you to say to me, 'I shall believe and worship God according to the dictates of my own conscience and I disclaim your right to impose, in these matters, any law upon me.'" See also Washington's definition of toleration, p. 237.

independence,[1] was at the age of nearly eighty-six years a member of the Convention, and although he still felt it hazardous to abolish the religious establishment of the State, to which formerly he clung so tenaciously, yet in accordance with the extreme liberalism of his religious views in old age, he sought to effect a modification in the third article of the Bill of Rights, so that "all men of all religions, demeaning themselves as good subjects, shall enjoy the equal protection of the laws." Daniel Webster, also a member of the Convention, thought it a duty to provide for the support of public worship, and felt no objection to taxation therefor on account of conscience, yet was for striking out of the constitution "that part which respects enjoining attendance on public worship," and also favored the expenditure of moneys paid by any one for public worship, on the religious teacher whose instructions he attended.

The early Baptist leaders, Manning, Alden, Smith, Backus, Stillman (died respectively in 1791, 1797, 1805, 1806, 1807), had been called to enter into rest. But other Baptist champions of religious liberty remained,

[1] Along with Adams' recommendation of the use of bells, guns, and other noisy instruments to celebrate the Declaration of Independence in all coming time, we would like to have some other words of his (primarily addressed to his wife, see his "Letters," pp. 214, 265) go down the ages also. He says: "This country knows not and never can know the torments I have endured for its sake. I am glad it never can know, for it would give more pain to the benevolent and humane than I could wish even the wicked and malicious to feel. . . Posterity! you will never know how much it cost the present generation to preserve your freedom! I hope you will make good use of it. If you do not I shall repent it in heaven that I ever took half the pains to preserve it." Verily "with a great sum," did our fathers obtain for us our civil and religious freedom.

prominent among whom was Dr. Thomas Baldwin, for thirty-five years an honored pastor in Boston. He was a man of persuasive speech, of commanding influence, and withal genial in spirit and manner, and, ably seconded by Rev. N. W. Williams, of Beverly, and others, took a very active part in the Convention in the interest of religious liberty. In his different addresses he contended that all the persecutions and consequent bloodshed of the past were due to an unnatural combination of religion with civil power, and that religion should not be propagated and supported by aid of the civil magistrate. He thought every religious society would better manage its own affairs. He favored voluntary contribution, and sought no support from taxation. His chief contention was that "every man should have a right to worship where he pleased, and not to pay where he did not worship." One proposition of his was that

Whenever any person shall become a member of any religious society, corporate or unincorporate, such membership shall be certified by a committee, chosen for this purpose, and if filed with the clerk of the town where he dwells, such person shall forever after be exempted from taxation for the support of public worship and public teachers of religion in every other religious corporation whatsoever, so long as he shall continue such membership.

Rev. Mr. Williams, of Beverly, proposed that

Every religious society, incorporated or unincorporated, should have power to raise money for the purposes of the society, in such manner as they should choose; that every person should be at liberty to unite himself to such society as he pleased, and the monies paid by him should go to the support of the teacher of such society, and that every person who did not class himself voluntarily with any society should be classed with the town,

parish, or precinct in which he lived, and be taxed [was this a compromise?] for the support of public worship in such town, parish, or precinct.

Mr. Childs, of Pittsfield, offered a resolution that was favored by the Baptist members generally, which was that

Each and every society or denomination of Christians in this State shall have and enjoy the same and equal powers, rights, and privileges; and shall have power and authority to raise money for the support and maintenance of religious teachers of their respective denominations, and to build and repair houses of public worship, by a tax on the members of any such society only, to be laid by a major vote of the legal voters assembled at any society meeting, warned and held according to law.

All these propositions were, of course, voted down. We think, however, our Baptist brethren must have been tolerably well satisfied with "Article the First," which with thirteen others, the Convention submitted to the people, the first part of which reads as follows:

The power and the duty of the Legislature to require provision to be made for the institution of the public worship of God, and for the support and maintenance of public teachers, shall not be confined to Protestant teachers, but shall extend and be applied equally to all public Christian teachers of piety, religion, and morality; and shall also extend to all religious societies, whether incorporated or unincorporated.

All monies paid by the subject for the support of public worship and of the public teachers aforesaid, shall, if he require it, be applied to the support of the public teacher or teachers, if there be any, on whose instructions he attends, whether of the same or of a different sect or denomination from that of the parish or religious society in which the said monies are raised.

The clause in the third article of the declaration of rights which invests the Legislature with authority to enjoin on all the subjects of the Commonwealth an attendance upon the instructions of public teachers, shall be and hereby is annulled.

This article which substitutes "Christian" for "Protestant," allows one to pay where he chooses to worship, and does away with the former enforced attendance on public religious service, on being submitted to the people failed of securing their ratification—eleven thousand and sixty-five voting for it, while nineteen thousand five hundred and forty-seven voted against it! The large Counties of Suffolk and Middlesex, the original home of the Puritans in this country, voted for it, but Plymouth County voted largely in the negative, five hundred and ninety-seven yeas to one thousand six hundred and forty-five nays!

Thus Massachusetts was in a measure consistent with herself. In 1789 she proposed nine articles of amendment to the Constitution of the United States, but the glorious first article was not one of them—that article we mean, which was proposed by New Hampshire and Virginia and which says, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof"; nor did she, to her shame be it said, do herself the honor of voting for its adoption. And now, through her strong Puritanic influence, she again puts off the day of equal religious liberty for all.

XIII. CHURCH AND STATE FINALLY SEPARATED.

We are teaching the world the great truth that governments do better without kings and nobles than with them. The merit will

be doubled by the other lesson: that religion flourishes in greater purity without than with the aid of government.

JAMES MADISON, 1822.

If to hold a doctrine first and last and all the time, as individuals and as a denomination, alone and peculiarly, consistently, persistently, emphatically, obtrusively, gives a denomination a right to claim that doctrine, then Baptists may claim as theirs the doctrine of a separation of Church and State.

Prof. JOHN C. LONG.

In 1831 the House of the Massachusetts Legislature voted favorably upon an amendment of the third article of the Bill of Rights, two hundred and seventy-two yeas to seventy-eight nays, but the Senate, by a majority of three, referred the matter to the next General Court. Very early in the legislative session of 1832 a flood of petitions was sent in for the passage of an amendment showing that there was a general sentiment in its favor. But the Committee of the Judiciary to which it was referred, twice reported its adoption unnecessary and inexpedient. Yet the House did adopt it by a vote of three hundred and forty-seven to ninety-two, and the Senate by a vote of twenty-five to thirteen, referring it, as by law required, to the action of the next Legislature, which, early in 1833, gave it a still larger affirmative vote—the House, four hundred and twenty-nine to seventy-four, and the Senate, twenty-eight to nine. The popular vote on the eleventh of November following was thirty-two thousand one hundred and sixty-four in favor of its adoption, to three thousand two hundred and sixty-five against its adoption. In this matter Nantucket was plainly the banner county, Bristol County coming next. Plymouth County, we are sorry

to say, gave comparatively a very large negative vote, Plymouth and Hampshire in this respect standing lowest on the list.

Thus after many long years, during which the self-contradiction of the third article was allowed to continue as a source of trouble, the people of Massachusetts, by an overwhelming majority, adopted in its stead the eleventh article of Amendment, which frees the Church from State domination, and which not only allows but secures equal liberty to all. Article XI. reads as follows :

As the public worship of God and instructions in piety, religion, and morality promote the happiness and prosperity of a people and the security of a republican government ; therefore, the several religious societies of this Commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses ; and all persons belonging to any religious society shall be taken and held to be members until they shall file with the clerk of such society a written notice declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made or entered into by such society ; and all religious sects and denominations demeaning themselves peaceably and as good citizens of the Commonwealth, shall be equally under the protection of the law ; and no subordination of any one sect or denomination to another shall ever be established by law.[1]

[1] Elder Backus, of course, did not live to see this day of *assured* equal liberty, yet in the last sentences of the last work he ever published (a

While we may greatly rejoice at this separation of Church and State, we should deem it the greatest of calamities that there should exist between them any cold indifference, estrangement, or repugnance. Neither can do the other's work, but they may be mutually helpful. Rulers are to be "ministers of God for good" in behalf of the people. The State shall see to it that under its rule Christians and others may "lead a quiet and peaceable life in all godliness and honesty." And thus in an important sense kings may and should be nursing fathers and queens be nursing mothers to the church. On the other hand, Christians are citizens of an earthly as well as of an heavenly kingdom, and should with willing hearts support, revere, and obey all rightful authority. In the "Backus Memorial Pamphlet,"[1] p. 34, Dr. Hovey thus rightly speaks: "Though we rejoice in such a separation of Church and State as makes room for religious freedom, we do not look upon these organizations as antagonistic to each other in purpose or function. I should as soon reckon the purpose of the eye hostile to that of the ear, or the office of the head hostile to that of the foot. Church and State are friendly

sermon on Luke 7 : 9, "A great Faith described and inculcated," Boston, 1805), he uses this somewhat exultant language: "We have cause to remember with thankfulness that God has established a civil government over us which allows equal liberty to all, so that each one may lead a quiet and peaceable life in all godliness and honesty. Such great, such unspeakable privileges demand proportional love and obedience." Backus, in the above language, doubtless had in mind the Attleborough legal decision in 1782, when there was, as he says, "A door opened for equal Christian liberty, and no man can shut it."

[1] A pamphlet of nearly eighty pages gives an account of the services at the dedication of the Backus monument at North Middleboro, Mass., June 30, 1893.

powers, working together for the good of mankind. They may be compared with sunshine and rain, neither of which can do the work of the other, but each of which can do much to help on the work of the other. GOD BLESS THEM BOTH AND MAKE THEM A BLESSING."

APPENDIX A (P. 22)

It it difficult for us to imagine the surprise and alarm which filled the Puritan community at President Dunster's change of views. An early historian, Edward Johnson, speaks of him as "an able proficient both in the Hebrew, Greek, and Latin languages, an orthodox preacher of the truths of Christ, and very powerful, through his blessing, to move the affections," and we wonder not that the Puritan fathers "labored with an extreme agony to rescue the good man from his mistake." He was probably half an immersionist in theory when he joined the Cambridge Church. In his confession he simply remarked that "concerning the outward elements, something there is concerning sprinkling in the Scriptures—hence not offended when [it] is used." But it was not till 1651, when the three Baptist brethren were tried and sentenced for holding a private religious meeting at Lynn, that he, "by searching into these matters, was brought openly to renounce infant baptism" (Backus). On this point he had for two days, in February, 1654, a public conference in Boston with nine leading ministers of the Bay Colony. He then and there told them that "Children under ye gospel have Christ's express testimony that they have a nearer access unto him and a nearer acceptance with him than children under ye law, viz., in Matt. 19; Mark 10," and that "All instituted Gospel worship hath some expresse word of Scripture, but pedobaptisme hath none."

The Conference having failed to rescue the "erroneous gentleman," this business was undertaken in 1655 by the General Court. Some time after his resignation and about eight months subsequent to the alleged offense, he was presented on the charge of interrupting the services of the Sabbath, for which he was "publiquely admonished" in the meeting-house where he had so often preached and prayed; and about two years after this, while serving as pastor in Scituate, but still retaining some connection with Cambridge, he was again presented to the Puritan grand jury

(along with Thomas Gould, of Charlestown, afterward first pastor of the Baptist church in Boston) for not bringing his child to baptism.

Of course we can have no adequate idea of the struggle and sorrow he experienced by "his unhappy entanglements in the snares of anabaptism." Among his "extraordinary labors" for the college (which the court at first ungraciously questioned, though it afterward did acknowledge his "extraordinary pains" and his "good service"), he had caused a president's house to be built "thorow great difficultyes" and "upon very damageful conditions" to himself; and now in the coldest season of the year he is obliged to leave it and to go as a social outcast he knows not where and to do he knows not what. In speaking of the objections to the removal of his afflicted family from Cambridge in winter, he says: "My wife is sick and my youngest child extremely so, and hath been for months, so that we dare not carry him out of doors, yet much worse now than before. However, if a place be found that may be comfortable for them and reasonably answer the obstacles above mentioned, myself will willingly bow my neck to any yoke of personal self-denial, for I know for what and by whom by grace I suffer." The court granted him leave to remain till spring. The offer of friends in the old world to provide a comfortable home for himself and family, and to furnish fifty pounds for the carrying of them over must have been very comforting to him at this time.

Notwithstanding the severe trials and wrongs which he experienced, he seems ever to have retained his affection for Cambridge and his former friends. By his request he was interred near the halls of the college, and in his will he appointed his former pastor, Mitchell, and his successor, Chauncy, his "revered and trusty friends and brethren," to appraise his library, and he made both of them some specific bequests. We may remark that Mr. Mitchell composed an elegy or verses to his memory, two stanzas of which may be seen on page 110 of Dr. McKenzie's "History of the First Church in Cambridge. Other stanzas may be seen in Mather's "Magnalia," Vol. II., p. 80.

It is a singular circumstance that in course of time the slab over his grave decayed and the inscription disappeared, so that for a while his burial place was lost. But in 1846 it was dis-

covered, and upon opening his grave they found the tansy and other herbs with which his body had been "embalmed" still fragrant! And his must ever be a fragrant and precious memory. While we may feel that he erred on one occasion through his zeal for the truth, we at the same time can but admire his openness and honesty of character, especially as contrasted with that of his successor who, holding to immersionist views and to the necessity of a weekly and evening observance of the Lord's Supper, openly professed "he did as verily believe the truth of his opinions as yt there was a God in heaven, and yt he was as settled in it as the earth was vpon the center," and yet to become president of the college, virtually agreed to keep silence in respect to his peculiar tenets.

APPENDIX B (P. 42)

Williams then speaks of his (first) going to England [1] (to do which, "not having Libertie of taking ship in Your Jurisdiction, I was forced to repair vnto ye Dutch"), and of his "Negociations with ye Parliament, Councell of State, and his Highnes," and then says: "At my last departure for England I was importuned by ye Nariganset Sachims and especially by Nenekunat to present their Peticion to ye high Sachims of England, yt they might not be forced from their Religion, and for not changing their Religion, be invaded by War; For they said they were dayly visited with threatenings by Indians yt came from about ye Massachusetts, yt if they would not pray, they should be destroyed by War!" We are

[1] Roger Williams visited England twice; both times having reference to securing or confirming a charter. The first time he embarked from the Island of Manhattoes (New York) in June, 1643, and returned before the close of next year. On the voyage thither he wrote the "Key to the Indian Languages," and while abroad he began the celebrated "Bloudy Tenent" controversy with John Cotton. His second departure took place (by permission obtained with "considerable difficulty") from Boston, in company with Dr. John Clarke, November, 1651, only a few months after the visit of the latter to Lynn and to the Boston prison. On both occasions Williams was permitted by English authority to land in Boston without molestation. His second stay in England was about two and a half years, while Dr. Clarke remained there some twelve years in the interests of Rhode Island. It will be noticed that this letter was written soon after his second return.

glad to know that the Indians received some favors from "his Highnes." It would appear that "the proud and fierce" Nenekunat, or Ninigret, above mentioned, had some such feelings toward the Christian religion as King Philip had when he took hold of a button on the missionary Eliot's coat, and said: "I do not value the gospel any more than that." Philip, however, had a strong antipathy to Christianity, and in his war showed a special spite against the praying Indians. One reason, it is said, why he disliked to have any of the Indians become Christians was that it made them less obedient to their kings.

In the succeeding part of Williams' long letter, the whole of which was designed to be of good service to the Bay Colony, he offers several reasons for cultivating peace:

1. He thinks it "not only possible (according to Rom. 12 : 18) but very easie for ye English to liue and die in peace with all ye Natiues of this Countery."

2. "Ye God of Peace and Father of Mercies made these Natiues more friendly in this Wilderness then our Natiue Countrimen in our owne land to vs," so that they have "entred Leauges of Loue, and to this day continued peaceable commerce with vs."

3. A concern for the name of God; "for it Can not be hid how all England and other Nations ring with ye glorious Conversion of ye Indians of New England."

4. "I beseech You forget not yt although wee are apt to play with this plauge of War, more then with ye other 2, Famine and Pestilence, yet I beseech you consider how ye present events of all Wars yt euer haue bene in this World, haue bene wonderfully Fickle, and ye future Calamities and Revolucions wonderfull in ye latter end."

5. But lastly, if any be yet Zealous of kindling this Fire for God, &c., I beseech yt Gentleman, whoeuer he be, to lay himselfe in ye opposite scale with one of ye fairest Buds yt euer ye Sun of Righteousness cherished, Josiah, yt most Zealous and melting-hearted Reformer; who would to War and against Warnings, and fell in most vntimely Death and Lamentations, and now stands a pillar of Salt to all succeeding generations."

He concludes by observing that "all Indians are extremely treacherous" even "to their own Nation," and then makes

solemn request that on account of the offense of a "few inconsiderable Pagans and Beasts," nothing be done whereby "all yt the gracious hand of the Lord hath so wonderfully planted in this wilderness should be destroyed."

Had these specific counsels always been followed in the treatment of Indians, doubtless the horrid carnage and barbarities of King Philip's War, which at one time threatened largely to depopulate and destroy the New England Colonies, would have been avoided.

APPENDIX C (P. 54)

"THE petition of divers of Dorchester, Roxberry, &c., to ye number of 78," thus reads: "As the prevaylinge of errors and heresies is noted by our Saviour in the gospel, and elsewhere in the Scriptures, as a forerunner of God's judgments, and inasmuch as the errors of the Anabaptists, where they do prevayle, are not a little dangerous to church and commonwealth, as the lamentable tumults in Germany, when the said errors were grown unto a height, did too manifestlie witnesse, and such good lawes or orders as are enacted amongst vs against such persons havinge alreadie bene, as wee are informed, a special meanes of discouraginge multitudes of erroneous persons from comminge ouer into this countrie, which wee account noe small mercie of God vnto vs, and one sweet and wholesome fruite of the sayd lawes, it is therefore our humble petition to this honoured court, that such lawes or orders as are in force amongst vs against Anabaptists or other erroneous persons, whereby to restraine the spreadinge and divulginge of theire errors amongst people here, may not be abrogated and taken away, nor any waies weakened, but may still continue in their force as now they are, that soe there may not be a dore open for such dangerous errors to infect and spread in this country as some doe desire. And soe yr petitioners shal be ever bound to pray for the spirit of wisdom and zeale to guide you in all your weighty affayres, and the gracious blessing of God through Christ to be vppon you therein."

The original of this petition, which we quote from Felt's "Ecclesiastical History," may be seen in Vol. X., p. 211,

of the "Massachusetts Archives." Some thirty names are signed thereto as "humble petitioners."

APPENDIX D (P. 98)

INSTEAD of gratifying the wishes of the petitioners as expressed in their pathetic appeal of 1660 (referred to on page 88), the king in 1663 made known his intention to send commissioners hither to see how the people observed their Charter, and to "reconcile differences at present among them." These commissioners were not at all welcomed, being looked upon as agents to promote royalty and hierarchy rather than the liberties of the Colonies. They arrived in Boston in July, 1664, and in October of the same year the Puritan Court again sent the king an address, signed by "JOHN ENDECOT, GOVERNOR, in the name and by order of ye Generall Court of ye Massachusetts." Endicott has been called the real father of American independence. Certainly, in the spirit and principles of their letter and of their many sharp controversies with the commissioners which followed, we can plainly see the beginnings of the American Revolution. This address, which we must here omit, must have been very disappointing to his Majesty, who had no doubt they would all "have great reason to acknowledge our singular affection in our vissiting them by this our Commission and by the good effects which, with God's blessing, will arise from it."

The king's commissioners after visiting different parts of New England, expressed themselves as satisfied with their reception in other colonies, but were greatly displeased with the "refractorinesse of Massachusetts."[1] They were especially dissatisfied with the replies which the Court made to their de-

[1] The exceedingly interesting narrative, which the royal commissioners sent to his Majesty, of their visits and observations in the different colonies, may be found in Hutchinson's "Collection of Papers," pp. 412–425. This work also contains many other interesting old-time documents, such as the Massachusetts Charter of 1629 (occupying over twenty pages); Mr. Saltonstall's letter to Messrs. Cotton and Wilson, relating to the Lynn tragedy, and their reply in full, etc., etc. It is a sad reflection that we should have had other volumes of like kind had not young America, in its zeal for national independence, looted Gov. Hutchinson's house on account of his siding with the British party, and destroyed "many ancient and very curious original papers."

mands, and hence assured them that "these answers are so farre from being probable to satisfy the king's expectation, that wee feare they will highly offend him. Abuse not the king's clemency too much." "We hold ourselves," they say, "obliged in duty to his Majesty and out of a singular good affection to the welfare of this his Majesty's Colony, to declare to this Court that his Majestje will haue just cause to manifest his displeasure against the contrivers of such dilatory answers from whom his majestje doeth expect a more chearfull obedience in dutifull performances." After further sharp controversy they decide "to reduce all the discourse hereof into one question whereunto we expect your positive answer which we shall faithfully report to his Majesty, whether you acknowledge his Majesty's Commission wherein we are nominated Commissioners, to be of full force to all the intents and purposes therein contained. Tell us plainly and truly whether you will submit to that Commission without any shuffling. Otherwise, it is time for us to be gone out of the country." After receiving the Court's protest, they say in reply: "Wee shall not lose more of our labors upon you, but refer it to his Majesty's wisdom, who is of power enough to make himself to be obeyed in all his dominions."

Subsequently the General Court sent another address to the king wherein they thus apologize for any offense they may unintentionally have given him in their last petition. "Wee confesse that what wee then presented was our feares of what wee did then rather foresee than feele; but now to our greife and great sorrow of heart wee find (and wee hope your Majesty in due time will see) that the gentlemen sent hither in the capacitje of commissioners, especially three of them . . . have steered a course so different from, if not contrary to, your majestjes gracious expressions and limitations in your royal letters and instructions, . . . your poore subjects threatened with ruine, reproached with the names of rebells, and your gouernment, established by charter, and our priviledges, violated and undermined; causeless complaints from the Indians receaved and countenanced, in so much that the very carriage and deportment of many of the heathen is changed toward us; our injurious and licentious neighbors animated against us, a notorious malefactor protected from Justice, some of your faithfull subjects dispossessed of the

lands and goods without hearing them speake in their cases, the vnity of the English colonyes (which is the wall and bulworke, vnder God, against the heathen) discountenanced, reproached, and undermined, our bounds and limits clipt and shortened, seuerall tounes in our north border already (so far as in them ljes) taken from us," etc. They then remark that "to be placed vpon the sandy foundations of a blinde obedience vnto that arbitrary, absolute, and unlimited power which these gentlemen would impose vpon us . . . as it is contrary to your majestjes gracious expressions and the libertjes of Englishmen, so wee can (not) see reason to submit thereto."

Although our Puritan fathers were assured that if they did not yield obedience they would have cause given them to repent of it, "for his Majesty will not sit down by the affronts which he hath received," yet the commissioners, having sought in vain "to find out a way to bring down the pride of Massachusetts," were disappointed that the example of submission to the king's instructions by the other colonies, had not "abated the refractorinesse of this Colony." They finally warned the Court to "remember that the King's pardon of the late rebellion is conditional, and the authors of the opposition among you must expect the punishment awarded to the rebels in England, and you well know their fate."

At length the king recalled the commissioners, and also ordered five of the Massachusetts authorities, including Governor Bellingham, to present themselves before him that he might hear both sides of the controversy and thus "pass his final judgment and determination thereon." This mandate the Court virtually declined to obey, alleging that they could add nothing to the substance of the explanations of their course of opposition to the commissioners which they had already forwarded, and that the ablest persons they might send would be unable to declare their case more fully.[1] Though

[1] In view of the virtual refusal of the Court to obey his Majesty's commands, it is not strange that about this time an English agent wrote home that the king's letters were of no more account in Massachusetts than an old *London Gazette!* Probably the needs of an impoverished treasury, the distresses arising from the great plague and fire in London (1665, 1666), and possibly the Merry Monarch's devotion to his mistresses, prevented the speedy reduction of this refractory "province" (which loved to call itself a State or Commonwealth) to obedience by force and arms.

the Court at different times expressed a willingness to accede to his Majesty's wishes, there was one thing, they told him, they could not do, namely, consent to any repealing of the laws which "will make us renounce the professed cause of our first coming hither." As a practical proof or indication of loyalty, the legislature, instead of sending the required deputation, presented to the king several masts, "thirty-four yards long," for his navy (which to the English admiralty was "a blessing mighty unexpected"—*Pepys*), and some years afterward, in 1676, in obedience to the king's behest, they sent two agents on a special errand, making request for their speedy return; and the next year they presented his Majesty "tenn barrells of cranberries, two hogsheads of special good sampe, and three thousand of codfish."

Quite a full account of this contest between the king and this refractory province is given in Hutchinson's "History of the Colony of Massachusetts Bay," in the Appendix of Hubbard's "History of New England," and especially in Vol. IV., Part II., of the "Massachusetts Colony Records."

APPENDIX E (P. 172)

BACKUS ON THE FEDERAL CONSTITUTION

In Backus' "Diary" is this record: "A new Constitution for the United States of America was finished at Philadelphia, September 17, 1787, and our town [Middleborough] met on December 17, and chose four delegates to meet in Boston, January 9, 1788, with others in Convention, to establish or reject it, of which delegates I was the first, without the least motion of mine that way. When I was first informed of it, on December 20, I thought I should not go, but as religious liberty is concerned in the affair, and many were earnest for my going, I consented. . . Elder Stillman and I, with twelve Congregational ministers, voted for it."

President Manning's interest in this matter led him frequently to be present on this occasion, whereupon he was requested by Governor Hancock to "close the solemn convocation with thanksgiving and prayer," which he did "in a strain of exalted patriotism and fervid devotion which awak-

ened in the Assembly a mingled sentiment of admiration and awe." As is well known, the majority in this State in favor of the Constitution was not large, one hundred and eighty-seven voting for it, and one hundred and sixty-eight against it. The Middleborough delegation was equally divided on this question.

Elder Backus, in his address before the Convention (which he *read*, contrary to his view of *preaching*) gives three principal reasons for his favoring the Constitution.

I. THE ABSENCE OF ANY RELIGIOUS TEST.

"Many appear to be much concerned about it, but nothing is more evident both in reason and the Holy Scriptures, that religion is ever a matter between God and individuals; and therefore no man or men can impose any religious test without invading the essential prerogatives of our Lord Jesus Christ. Ministers first assumed this power under the Christian name, and then Constantine approved of the practice when he adopted the profession of Christianity as an engine of State policy. And let the history of all nations be searched from that day to this, and it will appear that the imposing of religious tests hath been the greatest engine of tyranny in the world."

II. PROVISION FOR THE ABOLITION OF SLAVERY AND THE SLAVE TRADE.

"I believe that according to my capacity no man abhors that wicked practice (importation of slaves) more than I do. I would gladly make use of all lawful means toward the abolishing of slavery in all parts of the land. . . In the Articles of Confederation no provision was made to hinder the importation of slaves into any of these States, but a door is now open hereafter to do it, and each State is at liberty now to abolish slavery as soon as they please. . . Thus slavery grows more and more odious through the world, and, as an honorable gentleman, Mr. Dawes, said some days ago, 'though we cannot say that slavery is struck with apoplexy, yet we may hope it will die of consumption.'"

III. ABSENCE OF HEREDITARY SUCCESSION OF POWER.

"Another great advantage in the Constitution before us is

its excluding all titles of nobility, or hereditary succession of power, which hath been a main engine of tyranny in foreign countries. . . In the Constitution now proposed to us, a power is reserved to the people constitutionally to reduce every officer again to a private station; and what a guard is this against their invasion of others' rights or abusing of their power! Such a door is now opened for the establishment of righteous government and for securing equal liberty as never was before opened to any people upon earth."

There were about twenty Baptist members in this Convention and about two-thirds of them voted against the Constitution, fearing that it did not give sufficient security to religious liberty. Backus doubtless had these fears at first, but on reflection they disappeared. He says: "Each delegate had full liberty, in his turn, to say all he pleased, by means of which I obtained much more light about the extensive affairs of our country, the nature of the proposed Constitution, and the security of the rights of the people therein, than I had when I went from home, and therefore voted for it. And yet Elder Alden, of Bellingham, Elder Rathburn, of Pittsfield, and Elder Tingley, of Waterbury, County of York, all voted against it."

From the above, it would seem that Dr. Armitage in his "History of the Baptists" (p. 808; revised edition, p. 428) is mistaken when he says that "Isaac Backus took about the same ground that Patrick Henry had taken in Virginia [in not voting for the Constitution] because he could not see that it sufficiently guaranteed religious liberty. Manning and Stillman were wiser in their generation." Surely Backus in this matter, belonged to "their generation."

APPENDIX F (P. 212)

Acts of exemption, so called, were yielded by the authorities with great reluctance and, possibly, not without some violence done to cherished principle. Both Pilgrim and Puritan felt it extremely hazardous and hence found it very difficult to give up the practice of taxation for the support of the gospel ministry, and the former, perhaps, clung to this as tenaciously as the latter. In Hutchinson's "History" we

read that Thomas Hinckley, the last Governor of Plymouth Colony, "complained of this, as one great grievance that, not being allowed to make rates for the support of the ministry, the people would sink into barbarism." [1]

The first exemption act in Massachusetts was published Dec. 30, 1727, and had reference solely to Episcopalians. It was passed the preceding November, the next month as Backus says, after "the great earthquake." He mentions these two events together, almost seeming thus to imply that it took an earthquake to rouse the Massachusetts authorities to a sense of their duty.[2]

Plymouth Colony early defined its attitude toward Episcopalians in its response, in 1665, to the royal commissioners: "We would not deny a liberty to any according to the proposition (of the commissioners) that are truly conscientious altho' differing from us (especially where his Majestye commands it), they maintaining an able preaching ministry for carrying on of publicke Sabbath worship which we doubt not is his Majesties intent, and withdraw not from paying their due proportions of maintenance to such ministers as are orderly settled in the place where they live, until they have one of their owne, and that in such places as are capable of maintaining the worship of God in two distinct congregations."

The exemptive Acts of Massachusetts, relating to Baptists and Quakers, a sketch of some of which we now proceed to give, may be found in full in the different volumes of "The Acts and Resolves of the Province of Massachusetts Bay," as edited by Hon. Ellis Ames. The dates given to these laws refer generally to the time when they were published.

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[1] We would like to know what response Gov. Hinckley made or could make to the proposal submitted to him in 1686, by Edward Randolph, secretary under Andros, which thus reads: "Perhaps it will be as reasonable to move that your colony should be rated to pay our minister of the Church of England who now preaches in Boston, and you hear him not, as to make the Quakers pay in your colony." Randolph even proposed to rate the three meeting-houses in Boston to "pay twenty shillings a week each out of their contributions, toward defraying of our church charges." See Hutchinson's "History" Vol. I., pp. 350, 357; also his "Collection of Papers," p. 550.

[2] See Backus' "History," Vol. I., p. 516; and for the full text of this first exemption law, see "Acts and Resolves," Vol. II., p. 459.

1. Act of June 24, 1728; to continue five years.

"Whereas, Some of the inhabitants of this Province called Anabaptists, and others called Quakers, refuse to pay any part or proportion of such taxes as are from time to time assessed for the support of the ministry in the several towns whereto they belong, alleging a scruple of conscience for such their refusal; and thereupon frequent application has been made to this Court for their relief; Be it therefore enacted . . . That from and after the publication of this Act, none of the persons commonly called Anabaptists, nor any of those commonly called Quakers, that are or shall be enrolled or entered in their respective Societies as members thereof, and who allege a scruple of conscience as the reason of their refusal to pay any part or proportion of such taxes as are from time to time assessed for the support of the minister or ministers of the churches established by the laws of this Province in the town or place where they dwell, shall have their polls taxed toward the support of such minister or ministers; nor shall their bodies be at any time taken in execution to satisfy any such ministerial rate or tax assessed upon their estates or faculty; provided that such persons do usually attend the meetings of their respective Societies assembling upon the Lord's Day for the worship of God, and that they live within five miles of the place of such meeting."

For comments on this Act, see pp. 117, 154. By other provisions of this Act, Quakers were obliged to subscribe a declaration of fidelity and also a formal profession of Christian belief. See "Acts and Resolves," Vol. II., p. 494.

2. Amendment of the above Act, Dec. 24, 1729, exempting estates as well as polls. See "Acts and Resolves," Vol. II., p. 543.

"The proper estates, real and personal of the aforementioned Anabaptists and Quakers, being in their own hands and under their actual management and improvement, shall be exempted in the same manner and under the same conditions and limitations that their polls are or were" under the previous Act. This Act was "to continue till May, 1733, and no longer."

3. Act of July 6, 1734. See "Acts and Resolves," Vol. II., p. 714; and for comments on the same, see p. 155 of this volume.

"Be it enacted . . . That from and after the publication of this Act, none of the persons called Anabaptists, who allege a scruple of conscience as the reason of their refusal to pay any part or proportion of such taxes as are from time to time assessed for the support of the minister or ministers of the churches established by the laws of this Province, in the town where they dwell, shall have their polls or estate, real or personal, in their own hands and under their actual improvement, taxed toward the support of such minister or ministers, or for the building of any meeting-house or place of public worship.

"And to the intent that it may be the better known what persons are of that persuasion, and who are exempted by this Act—Be it enacted . . . That the assessors of each town where any of the said Anabaptists live, or their lands in their own actual improvement lie, shall on or before the 20th of July next, and from thence annually some time before the 20th of April, take a list of all such persons, and forthwith transmit the same to the clerk of the town, which list shall be entered on the record of such town by the clerk who is hereby empowered and directed to enter the same accordingly, that so any of the people called Anabaptists, or any members of their Society thereto appointed, may view such list, and have a copy thereof if they desire the same, paying only sixpence therefor; and if any person of that denomination shall be omitted in such list by the assessors taken, and the assessors shall be certified thereof in writing, under the hands of two principal members of that persuasion, appointed thereto by the respective Societies some time before the 10th of September next, and from thence some time before the 10th of May then next after, that such persons not inserted in their list they believe to be conscientiously of their persuasion, and that they do frequently and usually attend their meetings for the worship of God on the Lord's Day, the assessors shall also exempt the said persons so omitted, and their estates in their actual management and improvement, as well as all others inserted in the said lists, from all rates and taxes by the said assessors to be made for the support of the minister or ministers in their towns, or for erecting places of public worship; this act to continue five years," etc.

4. The above act substantially revived and published July

16, 1740, the same to remain in force seven years. See "Acts and Resolves," Vol. II., p. 1022.

5. Act of July 2, 1747, to continue in force ten years. See "Acts and Resolves," Vol. III., p. 362. This is in general but a repetition of the former Act, but it was especially grateful to the Baptists, as it was to stand for a longer term of years, and was secured, not as the former ones by repeated petitionings, but by the "good will and mere motion" of the General Assembly (see p. 158).

But alas—

6. In a little over five years the authorities, as Backus says, "broke in upon their own law," and enacted in addition to the previous law the oppressive and obnoxious Act of Jan. 6, 1753. See "Acts and Resolves," Vol. III., p. 644. Our readers will find this Act detailed at large and severely commented on in Mr. Proctor's "Memorial and Remonstrance," p. 158, *et seq.*, of this volume.

7. Act of Jan. 26, 1758. See "Acts and Resolves," Vol. IV., p. 67. This law was similar to the previous one and equally burdensome. It was to continue in force for three years, though subsequent legislation, as we shall see, lengthened that term. Concerning this law Backus says: "No tongue or pen can fully describe all the evils that were practiced under it." Its third section reads as follows:

"Be it further enacted, That no person in any town, district, precinct, or parish, as aforesaid, shall be so esteemed or accounted to be an Anabaptist, or to have his or her poll or polls, or any estate to him or her belonging, exempted from paying a proportionable part of the ministerial taxes that shall be raised thereon, but such whose names shall be contained in a list or lists to be taken and exhibited on or before the 1st day of February next, and afterward during the continuance of this Act, on or before the 20th day of July, annually to the assessors of such town, district, precinct, or parish, and signed by three principal members of the Anabaptist church to which he or they belong, and the minister thereof, if any there be, who shall certify that the persons whose names are inserted in said list or lists are really belonging thereto, and that they verily believe them to be conscientiously of their persuasion, and that they do frequently and usually attend the public worship in such church on the Lord's Day."

8. The above exemption Act revived Jan. 31, 1761, to be continued for ten years. See "Acts and Resolves," Vol. IV., p. 420.

9. Act of Jan. 31, 1771; to be continued three years. See "Acts and Resolves," Vol. V., p. 111. This exemptive Act is in some respects more favorable than the preceding ones. Instead of using the offensive term Anabaptists, they now speak of "the people called Antipedobaptists," and for a wider application they substitute the word congregation for church. Thus this last Act exempts those persons whose

"Names shall be contained in a list or lists which shall be exhibited to the assessors . . . on or before the 1st day of September in that year, and signed by three principal members of the Antipedobaptist congregation to which he or she belongs, and the minister thereof (if any there be), who shall therein certify that the persons whose names are contained in the said list or lists are really belonging thereto; that they verily believe them to be conscientiously of their persuasion, and that they do frequently and usually, when able, attend the public worship of God in such congregation on the Lord's Day."

This Act also graciously empowers the majority of qualified voters (Quakers and Antipedobaptists excepted) in any legally called meeting in a town, district, precinct, or parish.

"To exempt and excuse from ministerial taxes, or taxes for building or repairing any meeting-house or place of public worship, the polls and estates respectively of any person or persons dwelling or having any rateable estate in such town, district, precinct, or parish, who profess themselves to be Quakers or Antipedobaptists, altho no such list or lists as is before mentioned in this Act should be exhibited to the assessors of any town, district, precinct, or parish."

This law was, nevertheless, far from being satisfactory to the "Antipedobaptists," for as Backus remarks, "the word *conscientiously* was still retained, and the certificates were to be given annually to the assessors." Few, we think, must be the instances where a "town, district, precinct, or parish," was pleased to exempt Baptists without any certificates.

10. Act of July 1, 1774; to be in force for three years (see "Acts and Resolves," Vol. V., p. 392), yet was continued in operation after the adoption of the Constitution.

Like the preceding Act, this exempts such Quakers or Antipedobaptists

"Whose names shall be contained in a list or lists taken and signed by three members of some Quaker or Antipedobaptist society or congregation who shall be chosen by said society or congregation for that purpose (one whereof to be the minister where there is any), who shall certify for substance with respect to the people called Antipedobaptists:

"We, the subscribers, being chosen a committee by the society of the people called Antipedobaptists who meet together for religious worship on the Lord's Day in ———, to exhibit a list or lists of the names of such persons as belong to said society or congregation, do certify that ——— ——— do belong to said society or congregation, and that they do frequently and usually, when able, attend with us in our meetings for religious worship on the Lord's Day, and we do verily believe are, with respect to the ordinance of baptism, of the same religious sentiments with us.

"Signed A. B.
C. D. Committee.
E. F.

"Dated ——."

The next Act of exemption, as we may properly name it, which favored not only Baptists and Quakers, but all other *Protestant* Christian sects, is that which is found in the Third Article of the Bill of Rights in the Constitution which was adopted by Massachusetts in 1780, and which declares that "Every denomination of Christians, demeaning themselves peaceably and as good subjects of the Commonwealth, shall be equally under the protection of the law, and NO SUBORDINATION OF ANY ONE SECT OR DENOMINATION TO ANOTHER SHALL EVER BE ESTABLISHED BY LAW."

APPENDIX G

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New and revised edition, with full index. By the same author

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I have read the work with great pleasure. The care with which it has been written, the soundness of its criticisms, the fullness of reading on the subject which it everywhere shows, the excellent spirit which pervades the whole—its pleasantries never run-

ning into sneers, nor its replies to ill-natured criticisms into a like ill nature—all these will contribute to give the work a permanent place in the libraries of careful and unprejudiced readers, whatever may be their view of baptism.—*Pres. Ezekiel G. Robinson.*

It is by far the best contribution that has been made to the baptismal question in the more recent stage of the controversy. . . It has been a great help to me in a recent discussion with the Presbyterian magnates. . . You have done a grand, scholarly work for the denomination.—*J. L. Burrows, D. D.*

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practice. Those who are of the writer's way of thinking will prize highly his work, while even they who do not agree with him will be surprised at the wealth of matter which the book contains.—*Chicago Advance.*

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We do not suppose there is anything in the English language which gives so thorough a discussion of the whole subject, both in its historic and exegetical aspects, for the purpose of maintaining the doctrine of immersion. The author's spirit is kindly and Christian.—*The Christian Union.*

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The book will be a thesaurus of arguments for the Baptist denomination, and may be consulted with profit by others who are interested in the subject which it handles. The author disposes of much sophistical reasoning as well as mistaken history and erroneous philology which have been in vogue among the polemics of the other side.—*The New Englander.*

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We have no hesitation in saying that the author, though evidently a funny man, has been pretty thorough in his study of early and primitive usage.—*Episcopal Recorder.*

We should say quite confidently that to those who are *a priori* prepared for it, this will be found a forcible, well-reasoned, effective, and convincing volume. It is, at least, courteous in tone and fair in intent.—*The Congregationalist.*

All who desire to inform themselves of the Baptist side of this question would do well to procure Mr. Ford's book, which presents the argument of the immersionists with all the ingenuity and force that it is susceptible of.—*Central Presbyterian.*

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